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INTERNATIONAL PROTECTION OF WOMEN AND CHILDREN IN ARMED CONFLICT

PHD DISSERTATION

ADEL MOHAMED ALMOJAHED

171302028

İSTANBUL, JANUARY 2023

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THESIS APPROVAL PAGE

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ETHICAL STATEMENT

In this project, I prepared my manuscript in accordance with the thesis writing rules of the Institute of Social Sciences at Istanbul Yeni Yuzyıl University and I hereby declare that;

- I have obtained the data, information, and documents provided within the thesis within the framework of academic and ethical rules,
- I have submitted all information, documents, evaluations and results in accordance with the requirements of scientific ethics and moral rules,
- I have cited all works that I have used in the project by appropriately referring to my sources,
- I have not made any changes to the data used,

The work I present here is original, and if found otherwise, I declare that I accept all loss of rights that may occur.

05/01/ 2023

Adel Mohamed ALMOJAHED

PREFACE

During armed conflict, International Humanitarian Law has afforded women and children specific and general protection. These precautions must take into account the unique characteristics of both genders and age groups. Separate provisions of the Third and Fourth Geneva Conventions and their two supplementary protocols govern these kinds of protection. Certain groups are excluded from the provisions of the relevant article concerning the special protection of women and children. The primary objective of the thesis is to examine the international protection of women and children in armed conflict in the Middle East and Arab countries, particularly after the Arab Spring. It also aims to identify their situation in areas of armed conflict and its effect on women in the workforce.

I would like to express my deepest thanks and gratitude to the supervisor, Assistant Professor Yasemin KONUKCU, for the help and advice she provided me, which had an important impact on the completion, improvement, and development of this thesis. I would also like to extend my gratitude to Assistant Professor Pelin YANTUR for the help she provided me at the beginning of my work on the thesis; her advice and guidance had a positive impact on my work. I would also like to express my gratitude and appreciation to Assistant Professor Arda ERCAN, who was very cooperative during all the previous sessions, and I benefited greatly from his observations and advice. Of course, I would also like to express my appreciation and deep gratitude to Associate Professor. Hüdayi SAYIN, head of the department, for the assistance during my university studies; I want to express my gratitude to my friends and family for their support and encouragement during this journey, with special thanks to my amazing parents for their unwavering support. Finally, I would like to express my gratitude and appreciation to everyone who assisted in the completion of this study. I hope it will be beneficial and serve as a database and a reliable source of information for academic research in Libya.

İSTANBUL, 2023 Adel Mohamed ALMOJAHED

ÖZET

SİLAHLI ÇATIŞMALARDA KADIN VE ÇOCUKLARIN ULUSLARARASI KORUNMASI

ADEL MOHAMED ALMOJAHED

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Uluslararası insani hukuk, uluslararası veya ulus-altı silahlı çatışma mağdurlarını korumayı amaçlamakta aynı zamanda kadınlar, çocuklar ve yaşlılar gibi silahlı çatışmaların en zayıf mağdurları olarak kabul edilen gruplar için özel korumayı öncelik haline getirmektedir. Bu gruplar, operasyonların yoğunlaştırılması veya işgal sırasında en savunmasız kesim olarak kabul edilimektedir. Bu tezin önemi, konunun yeniliği ve dinamizmi, ile doğru orantılıdır. Tezin amacı, özellikle Arap Baharı'ndan sonra Ortadoğu ve Arap ülkelerindeki silahlı çatışmalarda kadın ve çocukların uluslararası korunmasını incelemek ve ayrıca bu grupların silahlı çatışma alanlarındaki durumlarını ve bunun çalışan kadınlar üzerindeki etkisini belirlemektir. Bu bağlamda bahsi geçen uluslararası hukuk metinleri okunup analiz edilirken ve yazındaki görüşler ilgili literatür teze aktarılırken, betimleyici yaklaşım ve analitik yöntemi seçilmiştir. Araştırmanın sonucuna göre, savaş bölgelerindeki kadın ve çocuklar, ruh sağlığı sorunları açısından yüksek risk altındadırlar. Bu nedenlerle, sahadaki sorunları çözmek için daha fazla uluslararası siyasi ve hukuki tedbir alınmalıdır..

Anahtar Kelimeler: Uluslararası Koruma, Libya, Silahlı Çatışma, Kadınlar, Çocuklar.

ABSTARCT

INTERNATIONAL PROTECTION OF WOMEN AND CHILDREN IN ARMED CONFLICT

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International humanitarian law aims to protect victims of armed conflicts and provide special protection for vulnerable groups, such as women, children, and the elderly, during conflicts and occupation. The importance of this thesis lies in the lack of attention it has received from relevant colleges, military colleges, staff colleges, and police academies. The aim of the thesis is to study the international protection of women and children in armed conflict in the Middle East and Arab countries, particularly after the Arab Spring, and to identify their situation in areas of armed conflict and its impact on working women. The researcher used a descriptive and analytical approach in analyzing relevant legal texts and extrapolating the findings into relevant legal books. The study found that women and children in war zones are at an increased risk for mental health issues, particularly when one spouse is killed and the surviving spouse is left to bear the emotional and financial burdens of the family alone.

Keywords: International Protection, Libya, Armed Conflict, Women, Children.

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LIST OF ABBREVIATIONS

AFTURD	:	Association Of Tunisian Women for Development Research
AHDR	:	Arab Human Development Report
AIDS	:	Acquired Immune Deficiency Syndrome
ATS	:	Auxiliary Territorial Service
CEDAW	:	Convention On the Elimination of All Forms of Discrimination Against Women
CRC	:	Committee On the Rights of The Child
CSOs	:	Civil Society Organizations
FGM	:	Female Genital Mutilation
HJC	:	High Judicial Council
ICCPR	:	International Covenant on Civil and Political Rights
ICRC	:	International Committee of The Red Cross
ICTY	:	International Criminal Tribunal for The Former Yugoslavia
IHL	:	International Humanitarian Law
ILO	:	International Labor Organization
INGO	:	International Non-Governmental Organization
NGOs	:	Non-Governmental Organization
PSL	:	Personal Status Law
SGBV	:	Sexual And Gender-Based Violence
SOPs	:	Standard Operating Procedures
TDWA	:	Tunisian Democratic Women's Association
UASC	:	Unaccompanied Or Separated Children
UN	:	United Nations
UNAMI	:	United Nations Assistance Mission in Iraq
UNHCR	:	United Nations High Commissioner for Refugees
UNICEF	:	United Nations International Children's Emergency Fund
UNRWA	:	United Nations Relief and Works Agency
UNSC	:	Security Council
US	:	United State
WW	:	World War

INTRODUCTION

War has been a way of resolving disputes between countries throughout history. The war has no boundaries. There are no rules to combat, and this makes it more dangerous. The opponent is trying to eliminate completely his opposition and authorize his children, people, and money by killing the prisoners, torturing, or enslaving them (Achvarina & Reich, 2006, p. 129). In view of the disasters that war inflicts on humanity: calls have emerged for the necessity of defining the behaviour of combatants during the fighting to reduce the brutality and aggressiveness of its mechanisms (Kaldor, 2012, p. 23). These two categories of armed conflict are distinguished in modern international jurisprudence and International Humanitarian Law (IHL) publications. The only way to tell these wars apart is by looking at their respective borders. The presence of more than one country in the war is what gives it an international character and, at the same time, distinguishes it from non-international armed conflicts. This definition applies to any armed conflict between two or more countries in the international community.

According to Article 1 of Protocol II, non-international armed conflicts are "armed conflicts not covered by Article 1 of Protocol I (relating to international armed conflicts) that revolve within the territory of one of the High Contracting Parties between its armed forces and splintered armed forces or other regular armed groups. They are exercised under the leadership of a responsible for part of a province, enabling it to carry out sustained and coordinated military operations" (Kuper, 2010, p. 36).

It should be noted that, during armed conflicts, international protection is allocated to some groups affected by war. International protection is all international legal measures and procedures aimed at alleviating the suffering caused by the war and sparing the population the various damages, losses, and pains that may be caused to them due to military operations or due to the behavior of others. Civilian and military officials resort to it against civilians under their authority.

The international agreement's signatory states and the combatants themselves are the primary targets of this all-encompassing notion of security. All states must abide by the protection regulations and make sure all the prohibitions are enforced.

To guarantee all the rights enshrined in the victims, the states must simultaneously take all the specific actions for the benefit of the population, such as their financial, moral, and health relief. They must also provide the conditions necessary for their survival and refrain from carrying out certain actions: such as killing and torture, attacking populated areas, and destroying civilian property (Kohrt, 2007, p. 3).

Children and women are preferred by the armed forces and conflict groups because of the ease of targeting them and thus abusing them in the service of soldiers. The latter includes sexual exploitation, forced recruitment, or other activities in the service of war goals, such as espionage, military equipment transfer, or kitchen work. Old and elderly people are usually assaulted, killed, left intentionally sick or hungry because they are useless.

As a natural byproduct of the armed struggle, violence against women was accepted. Acts of violence against women are outlawed by various agreements, but these laws did not come into existence until the middle of the twentieth century with the development of the law of armed conflict and international humanitarian law, respectively. Women were given legal protection in international armed conflicts, specifically through the Geneva Convention on the Protection of Civilian Persons in Time of War. However, the fundamental reason for this shift is that the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda have drawn more attention to the issue of safeguarding women from abuse. Because of research conducted in 1992, the fact that the Japanese army established rape camps during World War II emerged.

However, the Japanese government denied all the accusations and stated that it had no influence on the establishment of rape camps. The Japanese government denied responsibility for the system of sexual slavery, claiming that the women allegedly used as sexual slaves engaged in prostitution of their own free will, without any government pressure. He also stated that they paid for all the mistakes they made during the war with the Tokyo International Military Criminal Court (Kuper, 2010, p. 37). Despite this persistent attitude of Japan, in line with this struggle, which is also supported by women's organizations and human rights organizations, the victims sought their legal rights by filing lawsuits in or out of Japan. Following the evidence

that emerged as a result of the lawsuits, the Japanese government had to take a step back, accept responsibility, and formally apologize to both the relevant states and the UN (Kaldor, 2012, p. 12). Based on this example, it can be said that states have ignored this issue for a long time.

For these reasons, the Fourth Geneva Convention and the two additional protocols have allocated distinct protection to this category of victims and have made them protected persons at all times and places. It is not permissible to attack or attack them for any reason, or even in any way, as long as they have never participated in hostilities (Kronlund & Valla, 1996, p. 6). In addition, it became urgent to use international humanitarian law to keep war and armed conflict victims from suffering, to protect civilians, and to cut down on the number of people killed in battle (Lorey, 2001, p. 2). The calls for good and humanity began to appear in the nineteenth century, and some of the advances and endeavors that preceded it, all of which were called to cultivate feelings and exchange interests. Mankind began working to establish rules by which it tried to alleviate the evils of fighting, to protect the victims, whether they were participating in the fighting or not; and to establish rules governing the conduct of belligerents in combat. They were represented in a set of international agreements for the purpose of alleviating the scourge of wars and the devastation and disrespect that war leaves for humanity Human rights and their protection in times of war. International humanitarian law refers to all agreements and treaties between nations. We were tasked with explaining where the idea of international humanitarian law came from and how it evolved (Kaldor, 2012, pp. 13–16).

The importance of this thesis lies in the novelty and dynamism of the topic especially after the war namely in Iraq, Libya, and Yemen, and the increase of international efforts to spread the rules of international humanitarian law and human rights. Although the subject of the thesis is not new, it is important because it identifies the situation of women and children in areas of armed conflict and the impact this has on women in the workforce in the Middle East and Arab countries, especially in the wake of the Arab Spring. The problem of the research is the study of the ability of the international legal framework to provide the necessary protection to the special groups and the legal part imposed on violators of the provisions of

international humanitarian law; and those responsible for the attack, regardless of its form, on these special groups. Several questions arise from this problem: How effective are international agreements (Fourth Geneva Convention and Additional Protocols I and II) in providing protection to these special groups?

- Is the protection provided by these agreements sufficient? Is it possible to invoke military necessity outside of the scope of responsibility when violating the protection of these groups? What is the obligation of mandatory legal texts that provide protection for the categories of their various sources (agreements, customs, etc.) for the countries in dispute?

- Are these legal rules and provisions out of the implementation, except by the will of the conflicting states?

- Are states free to apply whatever texts of international humanitarian law they like on their territory on the pretext of internal legal sovereignty?

- What are the international legal foundations for applying the provisions of international humanitarian law to the special groups that belong to the conflict states?

What is the position of international humanitarian law regarding the protection of foreign special groups not affiliated with any state in the conflict? Are there clear rules of obligation in the event of violations of international humanitarian law towards these groups? The importance of studying the special protection of some groups during armed conflicts seems to be in line with the urgent need of these groups to establish strong protection for them given the circumstances and considerations specific to each art, such as the status of the protected person, his age, gender, or the nature of the work performed. Some groups require special protection due to the nature of their work and the tasks assigned to them.

In addition, these special groups are more affected by the scourge of war than anyone else is. They need special protection against the effects of war and their evils because they are weak and do not have the means to defend themselves against the scourge of war. The main aim of the thesis is to study the international protection of women and children in armed conflict in the Middle East and Arab countries, especially after the Arab Spring, as well as to identify their situation in areas of

armed conflict and its effect on women in the workforce. This study also aims to achieve a number of objectives, as follows:

1-Explain the extent of the ability of the international legal framework to provide the necessary protection to special groups and the legal part imposed on violators of the provisions of international humanitarian law and those convicted of assault, whatever their form, on these special fatalities, and what are the sanctions that must be imposed on violators of these provisions?

2-Clarify the position of international humanitarian law on the pretext of military imperatives to exit from the sphere of responsibility when violating the special protection of these groups.

3-Determine the position of international humanitarian law regarding the protection of foreign special groups that are not affiliated with any state in the conflict.

4- Explain the categories covered by the special protection of civilians and the reason for the existence of this protection.

5- Explain the rules and provisions of international humanitarian law to be followed in the case of violations of the provisions of international humanitarian law towards these special groups.

6- The extent of the obligatory legal texts that provide protection for the categories of its various sources for the countries in conflict, and what are the legal foundations for this mandatory?

Hypotheses of the Study

Based on the objectives of the study, the following hypotheses were analyzed:

- **H1:** There is gender discrimination in practice in the area of health and safety.
- **H2:** There is legislative reform, policy, or practice regarding health and safety for women in your country.
- **H3:** Children are exposed to various types of violence during childhood.

- **H4:** Children are exposed to various types of sexual violence during childhood.

The researcher will rely on the descriptive approach and the analytical approach in reading and analyzing the international legal texts mentioned in this regard and extrapolating the book's opinions into the relevant legal books.

-Chapter One: The Protection of Children in Light of the Rules and Principles of International Humanitarian Law:

- Armed Conflict and Armed Conflict Law Concept
- Classification of Armed Conflicts
- The Concept and Types of Violence
- Protecting Women and Children from the Effects of Attacks
- Protection of Children and Women Who are Detentionees
- Protection of Women and Children from the Death Penalty
- Protection of Women and Children Participating in Conflicts
- Violation of Women in Armed Conflicts in Arabic Countries

-Chapter Two: The Protection of Children in Right of The Rules and Principles of International Humanitarian Law

- Protecting Children in Armed Conflict
- Prohibiting the Participation of Children in Armed Conflict
- Protecting Children Involved in Armed Conflict in Arabic Countries

-Chapter Three: Protecting the Rights of Women and Children at the Time of Armed Conflict

- Addressing Violations of Economic Rights
- Protecting the rights of Refugee Children
- Women’s Economic Empowerment in the Arab Region

-Chapter Four: Investigating the Concept of International Protection of Women and Children in Armed Conflicts: Libya's Case Study

- Previous Studies
- The Study Methodology
- Descriptive Information
- Discussion

1. INTERNATIONAL PROTECTION OF WOMEN AND CHILDREN IN ARMED CONFLIC

The main objective that was sought by international humanitarian law is to protect the victims of armed conflicts, whether international or non-international. As a result, everyone could have basic guarantees in the period of armed conflict, but with that, there are some preferential treatments for some groups that are known to be weak, such as children, women, and the sick and wounded category. In this chapter, the protection of women in armed conflicts and the violations that many women have been subjected to during these conflicts will be addressed.

1.1. Introduction

World War II undoubtedly demonstrated that warriors and civilians share the burdens and risks of war. There has been a great need for the preparation of an international document that clearly emphasizes the protection of civilians during armed conflict. Much effort has been spent in this area. The International Commission of the Red Cross has played a major role in making legal arrangements in this area. Because of these efforts, the road to the IV Geneva Convention was opened. This convention comprehensively dealt with provisions relating to the protection of civilians during war. Hereinafter referred to as the IV Geneva Convention, with this convention, the right of women and children who are civilians to benefit from the rights brought by this agreement has emerged. However, the above-mentioned agreement still has not escaped criticism since it only protects civilian individuals from the abuse of power by the enemy or invader. In addition, various criticisms were made because this agreement did not include provisions on the use of weapons and their effects (Wessells, 2016, p. 198).

The basic principle regarding the protection of civilians is the humane treatment of civilians. The personality, dignity, family rights, beliefs, practices, and customs of civilians must be respected under all circumstances. It is forbidden to be raped, forced into prostitution, or embarrassed. There should be no discrimination between civilians. Intentional killing, torture, and corporal punishment of civilians

are prohibited. Taking hostages, applying collective punishment or being threatened with them are also prohibited actions.

Following WWII, the world witnessed regular force battles that transcended national borders, setting them apart from traditional wars. Most wars are fought within a country's borders now. Consequently, innocent people were caught in the crossfire. Being so close to hotspots for fighting makes them not only vulnerable but also easy pickings for opposing forces. For the simple reason, that past experience in such conflicts has shown that the security of female and juvenile civilians cannot be guaranteed. Since they no longer receive any regard due to their gender or age, the international community has begun to re-evaluate the safeguards they have long provided for civilians and the necessity of enlarging such safeguards. The Diplomacy Congress, held in Geneva from 1974 to 1977, was the fruit of these efforts. Two more protocols to the Geneva Convention were signed at this congress for the Protection of Victims of International Armed Conflict (Southall & Kamran, 1998, p. 49). The United Nations Convention on the Rights of the Child was established in 1989. Almost every nation on Earth has signed this convention (Machel, 2001, p. 1).

There has been a clear shift in focus in recent years toward the difficulties women experience in times of war. A decision was made at the 26th International Congress of the Red Cross and Red Crescent in 1996 with the title "protecting civil settlers in the period of armed conflict," and in it, the congress urged the adoption of robust measures to guarantee the principles of protection and assistance to which women are entitled under national and international law. Similarly, at the 27th International Congress of the Red Cross and Red Crescent in 1999, they established a business plan that contains numerous measures to safeguard women in times of war. In order to better safeguard and aid women and girls who have been affected by armed conflict, the Congress has asked the International Committee of the Red Cross to establish certain guiding principles (Van Bueren, 1994, p. 809).

The problem of women who have been harmed by armed conflict has been the subject of discussion by the states that are against the war. This was also discussed at meetings and general meetings for women, such as the IV World Congress in Beijing. The UN Human Rights Commission noted in its report: "The

Beijing Congress work program states that International Humanitarian Law, which prohibits attacks on civilians, is sometimes overlooked. In general, human rights are violated during armed conflict. This in turn harms civilian settlers, particularly women, children, the elderly, and the disabled. “The Security Council issued resolution 1325/2000 and called for a study by the UN Secretary-General on the impact of armed conflict on women and girls (Happold, 2010, p. 360). Armed conflicts pose two different dangers to civilians. The first is the danger posed by the effects of offensive actions. The second is the danger posed by enemy forces or invaders to those under their rule.

1.2. Armed Conflict and Armed Conflict Law Concept

Armed conflict, as a word, is often interpreted together with war. Nevertheless, Clausewitz departed from this general view and interpreted war as the continuation of politics by other means. He defined armed conflict as a type of war that is violent and takes place between states (Waldman, 2016, p. 5). According to Grotius (2012), war is to settle disputes by means of coercion. On the other hand, Grotius expanded this definition by referring to the mutual situation of the parties rather than what they did to each other, by saying that "war is the mutual situation of those who try to resolve conflicts by resorting to coercion" and by considering war as a situation rather than an action.

Themner and Wallensteen (2011), on the other hand, made a different distinction by approaching the concept of war based on loss of life. According to this view, armed conflicts with more than 1000 dead in a year are defined as war. Conflicts with fewer than 1000 deaths were categorized as minor armed conflicts. From this point of view, the conclusion to be reached is that not every armed conflict is a war, but every war is an armed conflict. The concept of "cold war," although the word "war" is mentioned in it, is out of the scope of the study because it is mostly based on establishing diplomatic and psychological superiority. In terms of international law, the concept of armed conflict first appears in the 1864 Convention on the Improvement of the Condition of the Wounded on the Battlefield. From this period until the 1949 Geneva Conventions, the term "war" rather than "armed conflict" was generally used in the literature of international law. However, neither

war nor armed conflict is defined in the Geneva Conventions. The concept of conflict has been defined as a big-armed fight. The Red Cross, one of the important international actors, defined armed conflict as "conflicts between two states between members of their armed forces and leading to armed intervention." The Criminal Court of the former Yugoslavia took an important step as the Dusko Tadic decision clarified the hitherto ambiguous concept of armed conflict. In its decision, the ICTY (International Criminal Tribunal for the Former Yugoslavia) defined armed conflict with the provision "Any situation where armed force is used between states, or when there is armed violence between government forces and organized armed groups or between such groups" (Shesterinina & Job, 2016, p. 247).

Since the mid-1800s, the field of law that deals with the rules governing armed conflicts in international law and the legal effects of these conflicts between warring and third states has been named the Law of War. With the increasing awareness since the second half of the 1900s, the idea of protecting individuals came to the fore and the naming of the law of war left its place to International Humanitarian Law. However, when the International Committee of the Red Cross declared that the term humanitarian law covers not only the Geneva rules but also The Hague rules, confusion arose between the terms. It has been revealed that the concept of traditional war law, in terms of dealing only with the rules to be followed during the conflict, cannot fill its place in its true sense. For this reason, the concept of "Law of Armed Conflict" has started to be used in the new literature, especially in the framework of the UN (United Nations), in order to specify the international law rules related to armed conflicts (Breakey, 2012, p. 43). Armed conflict law, in terms of its scope, not only makes regulations regarding the rules that warring parties must comply with during armed conflicts but also deals with the legal effects of armed conflicts on the belligerent and third states.

1.3. Classification of Armed Conflicts

There are different distinctions in the literature on the classification of armed conflicts. While some distinctions make a classification for the parties to the conflict, others are based on the intensities of armed conflicts. If a distinction is made in the

light of the Geneva Conventions and their Additional Protocols, armed conflicts are divided into two as international and non-international armed conflicts.

1.3.1. International Armed Conflicts and Civil Wars

When the military forces of two or more different countries are at war with one another, it is called an international armed conflict. According to international law, armed conflicts on a global scale can be categorized into two broad categories: war and armed confrontations that do not escalate into war. In international armed conflicts, the Geneva Conventions, the foundations of international armed conflict law, are applied. Article 2 of the agreements makes this obvious. Except for regulations that must enter into force during periods of peace, this Convention will apply in the event of a war declaration or an armed conflict that has occurred between two or more of the High Contracting Parties (Breakey, 2012, p. 65). If any territory belonging to one of the High Contracting Parties is occupied in whole or in part, with or without opposition from the armed forces of that territory's own nation, the Convention's provisions will still apply. This Convention will apply to and govern the relations between the Contracting States even if one of the Contracting States is not a Party to it. Beyond this, the Convention will bind that state if it accepts and applies its terms.

The declaration of war emerges as a prerequisite that is emphasized by just war theorists. In his work "De Jure Belli", Francisco de Vitoria, one of the important just war theorists, put forward three rules about just war. Stating that the authority to declare war in the rules is with the princes, Vitoria mentions that the declaration of war is a condition of just war. On the other hand, Hugo Grotius thinks that it is not enough for war to take place only between states because it is necessary to declare war in addition. However, the aforementioned declaration of war is no longer a required condition. Wars were declared in only 10 of the 118 wars between 1700 and 1872 (Steenberghe, 2014, p. 84).

The idea of international armed conflict was expanded and refined in Additional Protocol No. 1 of the Geneva Conventions of 1977. This includes wars in which people are fighting for their right to self-determination, as outlined in the United Nations Charter and the Declaration on International Law on Friendly

Relations and Cooperation between States adopted under the United Nations Charter. States that have not joined Protocol No. 1 to the 1977 Geneva Conventions are still bound by the principles of law pertaining to non-international armed conflicts when dealing with armed conflicts involving self-determination (the right of peoples to self-determination) (Kjeksrud et al., 2011, p. 12).

Regarding wars that are not between nations, the law is split into two different categories. Article 3 is the first of them and is shared by all four of the Geneva Conventions. Armed conflict within the territory of the contracting state is what Common Article 3 is referring to, not a dispute between two or more parties. Each disputing party will be bound to apply at least the following provisions (Gisel et al., 2020, p. 289) in the event of an armed conflict of a non-international nature occurring on the territory of one of the High Contracting Parties: First, no one should be treated unfairly or inhumanely because of their race, color, religion or creed, gender, birth or existence, or anything else that has nothing to do with whether or not they are directly involved in hostile acts. This includes members of the armed forces who have surrendered their weapons.

As a result, the following conduct directed at the aforementioned individuals is and will always be illegal: a) Attacks on life and bodily integrity, in particular killing, mutilation, cruel treatment, torture and torture of any kind; b) Hostages; c) Attacks on human dignity, in particular humiliating and humiliating treatment; d) Convictions and executions carried out without a prior decision by a court ordinarily constituted, endowed with legal guarantees recognized as indispensable by civilized peoples. Second, the wounded and sick will be collected and treated.

The International Committee of the Red Cross is a neutral humanitarian organization that can help both sides in the fight. In contrast, the warring parties will work to implement the rest of the Convention's provisions through separate accords. Nothing in these rules will change the status of the litigants in any way. Considering this, it is evident that the aforementioned regulations will also apply to international military confrontations. To claim that all the requirements specified in Common Article 3 are applicable in all situations that take place in the sovereignty of states and entail the use of force is not a correct approach. Participating states submitted

numerous criteria for the scope of Common Article 3's applicability throughout the talks about state interference in national sovereignty. (

According to Rappert and Moyes, (2010), former Vice President of the Committee of the Red Cross, Jean Pictet, outlined several criteria for the applicability of Common Article 3 of the Geneva Conventions in situations involving state interference in national sovereignty. These criteria include the need for a rebellion against the legitimate government to be organized and have a military force operating within a specific territory, as well as the need for the legitimate government to use its regular army against the rebels. In addition, the conflict must meet one of the following criteria:

- It must be recognized as a belligerent conflict by the de jure government or the rebels, or the rebels must be recognized as belligerents solely for the purpose of implementing the Convention
- The conflict must be placed on the agenda of the United Nations Security Council or General Assembly because it poses a threat to international peace, disrupts peace, or constitutes an act of aggression
- The rebels must have a regime with the characteristics of a state, with civil authorities that hold de facto power over a specific part of the national territory, armed forces that are under the command of an organized authority and adhere to the rules and customs of war, and civil authorities that consider themselves bound by the provisions of the Convention.

1.4. Violence: Definition and Types

Violence is a concept that has passed from Arabic to our language, and it literally means all kinds of material and spiritual negativity towards the physical and spiritual integrity of a person. There are some common elements in various definitions of violence. Using force to hurt, injure, kill or damage property is an act of physical destruction and force beyond the limits, contrary to generally accepted laws and moral principles. World Health Organization violence; "The intentional use of physical force in the form of a threat or act causes injury, death, or psychological

harm to oneself, another person, or group or community; it is defined as the situation where it causes or is likely to cause developmental disorder or deprivation (Kuper, 1997, p. 23). It is not correct to explain violence only with the concept of "physical harm". Especially today, when violence is mentioned, not only physical violence is understood but also the concepts of violence such as psychological, social, sexual, and economic come to mind. Violence appears in society in many different ways, including physical, psychological, economic, and sexual (Steenberghe, 2014, p. 89).

Physical Violence: Physical violence, which is used synonymously with the concept of violence, can be defined as all kinds of interventions and attempts to attack the human body. Slapping, kicking and/or punching, beating, choking in a way that prevents breathing, tying with an object, pulling hair, throwing any object, wounding with sharp and piercing tools or firearms, torture, forcing to live in unsanitary conditions, health Acts such as denying access to services and killing are included in the definition of physical violence.

Psychological Violence: Violence perpetrated without physical action, targeting the mental health of the person rather than the body, is defined as psychological violence. Continuity causes serious harm to a person because of being subjected to psychological violence, emotional and psychological disturbances such as fear, self-worthlessness, depression, suicidal tendencies, addiction, feelings of guilt, sleep problems, nutritional disorders, and inability to maintain healthy social relations can be seen.

Economic Violence: Economic violence includes actions such as depriving people of their freedom to work and earn income; preventing them from buying and selling goods; confiscating their income; and forcing them to work to generate income. Economic violence drags people into psychological distress and makes them vulnerable to other forms of violence.

Sexual Violence: Forcing a person to engage in a sexual act without their consent is sexual violence. The following acts are defined as sexual violence:

-sexual abuse of children and marital or extra-marital rape,

-all kinds of unwanted sexual contact that do not amount to rape,

-verbal or written sexually disturbing behaviors,

-harming the genitals and forced viewing of sexual content,

-exposing the genitals in a disturbing way,

-forcing children to give birth or not to give birth,

-forced abortion, forced prostitution, forced marriage, and virginity control.

1.5. The Concept and Development of International Humanitarian Law

It is an established fact historically that the phenomenon of wars and conflicts has been associated with man since the beginning of creation. Warfare in ancient times was characterized by its cruelty, brutality, and the absence of human and moral character, so the need to control these wars emerged, and to create rules governing and organizing that took into account human considerations (Lorey, 2001, p. 4).

The term "international humanitarian law" can be disbursed in its precise meaning to refer to that important part of general international law applied in armed conflict. It contains a set of customary, treaty principles, and norms to which the conduct of combatants engaged in armed conflict is subject to the exercise of their rights and duties recognized in these rules relating to the conduct of hostilities. It limits their right to choose the means, methods of warfare, and, for humanitarian reasons, specifically the protection of victims of international or non-international armed conflicts. They are combatants who are unable to fight and have been rejected by the battle and non-combatants. They are civilians who are not involved in the fighting in the first place, and separates them, as well as some properties and objects not related to the battle, from being or being the target of fighting or subject to any inhuman treatment resulting from the hostilities (Mazurana & McKay, 2001).

Although the war is as old as the person himself is, the human repercussions in it did not appear in the West until late after the European peoples witnessed the devastating woes of the ongoing war. Therefore, they began thinking about setting humanitarian rules to protect men from the effects of armed conflicts. European societies did not use the term international humanitarian law and did not know its concept until late. In ancient Africa, for example, the combatant was a charter of honor that defined his behavior during the war and prohibited aggression against

others, vetoing covenant and treachery. War played a major role in the civilizations of Babylon, Assyria, Pharaonic Egypt, and the ancient Far East, and the soldier had a privileged position in them. The war was tough, as was the case with other ancient nations and peoples.

Moreover, when the Persians were (Zarshett), they knew tolerance and (Sirus) was providing the same care to the wounded in the same era for his soldiers. The ancient teachings of India are of great benefit, and we cite the good position taken by (Usuka), the King of India, when he ordered his forces to respect the wounded enemies and nuns who take care of them. The ancient Greek civilization provided a great example of organized society in which the concept of justice in natural law was created and became the core of what we call human rights today. At the dawn of the Roman peace and after the conquest of the world was over, the Stoic doctrine had prominent followers such as (Senec and Cicero). Indeed, this doctrine defined its golden age. These philosophers declared equality between human beings and attacked slavery, as they emphasized that war does not destroy all ties of law and replace the wisdom of the aforementioned (Man is a human being a wolf) with another saying, "Man is a human being, a sacred thing." They also coined great sayings such as I am a human being and not anything in a human being is alien to me, or like, enemies when they are wounded become brothers, searching for security while respecting the laws. Tolerance is increasing, and people resort to it constantly (Boutros-Ghali, 1992, p. 2).

In the Middle Ages, humanitarian law developed a lot under the influence of the equestrian and Christian traditions. It was manifested at that stage by the aforementioned effects of the system of respect for the burners and the respect for the declaration of war, knowing that these rules were limited to Christians and in the world of the small closed nobility only. It had a contribution to establishing some features of humanitarian law. Here it is (the Mahabharath) and the (Manu) Law which prohibited the killing of an enemy without weapon or who surrenders. It also maintained that the wounded must be returned to their loved ones upon their recovery. We believe that ancient civilizations in Asia and Europe have all contributed to the creation and growth of international humanitarian law through the rules they have agreed to and the ways they have influenced each other.

In modern times, war became, in the eighteenth century, a battle between two professional armies whose numbers are limited, and civilians are no longer drawn into it, as the army has a military administration that prevents it from pillaging, and war has become an art that has its own rules. If violations remain, they are an exception, and cunning and cruel means were excluded because they overlook the opponent. In short, the war is not far from our control (Boutros-Ghali, 1992, p. 3). The views of philosophers and thinkers began to find echoes in the world and between countries at the end of the nineteenth century. The scale of suffering and enormous woes increased because of the successive international wars. As a result, the beginnings of international law in general and private international humanitarian law in particular were trying to reduce the harmful and destructive effects of military operations, and alleviating the treatment of civilians, wounded and prisoners, according to their human dignity and their natural right to life.

There have been signs of international law since the establishment of the International Committee of the Red Cross, which belongs to the initiative of (Henry Danan), a resident of Geneva, who was visiting the battle field (Silvreto) in the province (Lombardy) as the forces of France and Sardinia conquered the Austrians. He was affected by the large number of wounded who were left without care on the battlefield until he devoted much of his life to finding practical and legal solutions that would improve the situation of war victims. His book (Souvenir Solferino) had an effect on public opinion in Switzerland and in other countries. After that, the Swiss government decided to call for a conference of diplomats.

With the beginning of the nineteenth century, these rules, which were inspired by human considerations, honor, equestrianism, religion, and morals, began to acquire the obligation as a customary legal rule as they moved from the circle of non-binding morals to the circle of binding legal rules and the emergence of the state in its concept (Caprioli, 2004, p. 12). Speaking and relying on the regular forces that are subject to the decisions and legislation that they enact, in addition to the legal jurists, in addition to the rules established by the divine religions in this regard, especially the Islamic religion, in the form of instructions from governments to their armies in the field. The second half of the nineteenth century witnessed a breakthrough in codifying the customs and customs of war. We reviewed the most

important agreements that established the first nucleus of the development of international humanitarian law:

- First, the Paris Declaration of 1856, which is the first collective treaty that includes an international organization for the affairs of combatants, according to which piracy or attacking enemy ships has been abolished and seized with government authorization (Guma, 2001, p. 6).
- Second, the Geneva Convention of 1864 that is the first agreement, which included practical rules in the field of protecting the wounded and sick and alleviating human suffering during wars.
- Third, the St. Petersburg Declaration of 1868, which states that war, has limits that states must not cross in order not to depart from the principles of humanity, and this declaration prohibits the use of small missiles.
- Fourth, the Brussels Conference Project 4 that aimed to lay down a comprehensive set of laws and regulations related to wars.
- Fifth, the Hague Peace Conference in 1899 that was held to limit the use of military force during armed conflicts and to protect the people who have been hurt by it (Caprioli, 2004, p. 14).
- Sixth, the Second Hague Peace Conference of 1907, which led to the accreditation of thirteen participants, a draft agreement on the creation of an international arbitration tribunal, and a final statement that says:
- Seventh, the Geneva Conventions of 1929 that created three conventions to protect military personnel who were hurt in war.
- Eighth, the Geneva Conventions of 1949 whose conference's work made the Geneva Conventions signed in 1949 (Harrison, 2001, p. 17).
- Ninth, the two Additional Protocols to the Geneva Conventions of 1977, whose primary purpose was to bridge the fundamental gaps that were neglected in 1949; that is, to strengthen international norms that protect the civilian population from the effects of military operations and other hostilities (Guma, 2001, p. 8).

Civilian victims who fall as a result of wars daily and had to be outside any warfare, have remained outside any international protection until the fourth Geneva Convention of 1949 was concluded. Chenoy and Vinayak (2002) define civilians as protected as persons who find themselves, at some point and in any form, in the event of a conflict or occupation taking place under the authority of a party to the conflict who is not one of its nationals or an occupying power who is not one of its own.

International humanitarian law requires the parties to a conflict to distinguish between the civilian population and combatants. The term "civilian population" includes all civilian persons and thus includes the civilian population residing in the territories of the belligerent country and the civilian population residing in the occupied territories. Civilians are affected in one way or another by the consequences of armed conflict, and it is not necessary to study to recognize the losses caused by wars among civilians and thus civilians should remain outside the battlefield. Contemporary conflicts tend to the opposite, and international law was not able to address the conditions of the war-affected group except in 1949 when the Fourth Geneva Convention relative to the Protection of Civilians was Waged in War, after it became clear that the Hague Regulations were not sufficient to guarantee the necessary protection despite its articles. It dealt with limited aspects of the relationship between the occupier and the inhabitants of the occupied land. In addition to the important additions mentioned in Protocol I of 1977 in relation to the other three agreements, Chapter 4 of its starved value for the Fourth Agreement.

The term "protection" in the field of human rights in general includes all activities aimed at ensuring full respect for these rights in accordance with the letter and spirit of the relevant laws. Representatives of humanitarian organizations adopted this definition during one of the seminars organized by the International Committee of the Red Cross in 1991 and described protection as international. At the internal level, law provides protection and the judiciary as international protection is guaranteed by international law, with its human rights bodies at the global and regional levels. At the global level, there are the UN Charter bodies and the specialized agencies of international organizations; at the regional level, there are the bodies of European and American agreements and the African Charter on Human

Rights; but international law requires that the internal laws of states comply with international obligations.

The lack of provision to define the legal concept of the civilian population had a significant impact on the violation of their rights and their exposure to the worst forms of suffering, crime, and genocide. This was a case for the International Committee of the Red Cross to make efforts to develop the rules of humanitarian law to try to develop a clear concept of the civilian population.

Article 50 of Protocol I came to define the civil as follows:

1- Civil is any person who does not belong to one of the categories of persons referred to in the first, second, third, and sixth items of paragraph (a) of Article 4 of the Third Convention for the Protection of Prisoners of War and Article (43) of this Protocol. If doubts arise about whether a person is a civilian or a civilian, that person is considered a civilian.

2- All civilians are included in the civilian population.

3- The civilian population will not be stripped of its civilian characteristics by the presence of individuals among them who are not subject to the definition of the civilian population; that is, the character of the civilian population will not be negated when there are individuals to whom the description of the warrior applies among them (Caprioli, 2004, p. 19).

The concept of the civilian population includes all civilian people as defined by Article fifty paragraphs (2) of the first protocol. In case of doubt, the presumption of the civil characteristic is the first to be followed according to the last sentence of the first paragraph of the same article, and the civilian population is not stripped of that quality because there are people isolated among them. They respond to the requirements of defining civilians as stated in the third paragraph of the aforementioned article, and according to the basic rule contained in Article (48) of Protocol I, the parties to the conflict are obliged to respect the distinction between the civilian population and those who are dismissed (Byarugaba, 1998, p. 7).

The rules for protecting civilians in international humanitarian law are based on two basic rules:

- The first: a humanitarian rule is the commitment of parties to a conflict who do not have the absolute right to strike the enemy to place the civilian population outside the scope of the effects of military operations (Caprioli, 2004, p. 23).
- The second: a military base represented by the commitment of the parties to the conflict to focus and limit their operations towards destroying and weakening the military sources of the opponent. International humanitarian law establishes some basic principles that must be observed regarding civilians and the most important ones are:

1- A rule not to harm the rights granted to protected groups by concluding special agreements between the warring parties (Beneria, 2003, p. 13).

2- The principle of suspicion is interpreted in the interest of the protected person.

3- Martins' condition, which is that civilians and combatants, in cases not provided for in the protocol or any other international agreement, remain under the protection and authority of the principles of international law as established by custom, principles of humanity, and the dictates of the public conscience.

4- It seemed that war benefits could not eliminate the rights of protected groups.

5- Prohibiting methods of combat that cause unhelpful casualties.

6- Banning reprisals.

7- The principle that determines the need to distinguish between military and non-military objectives.

8- The principle of non-discrimination between protected groups.

9- Ensuring humane treatment (Naraghi-Anderlini & El-Bushra, 2004, p. 2).

10- The principle of preserving the physical integrity of protected groups.

Since the civilian population enjoys general protection from the effects of war operations, there are obligations that they have as follows:

1- No direct participation in military operations.

2- No effective role in the war effort.

3- Staying away as much as possible and not being in or near the military objectives circle, so as not to cause indirect danger to them.

From a review of the protection rules contained in the four Geneva Conventions of 1949 and their two additional protocols of 1977 (Baranyi, 1998, p. 32), it is clear to us that they provide effective and strong protection of human rights in general. They also provide strong protection to the civilian population during armed conflicts if the warring parties respect these rules and implement their provisions. This shows their vital role, which is the protecting power or the monitoring of the international community and international organizations. They monitor the extent to which the parties respect these provisions and raise the responsibility of the party violating them.

1.5. Protecting Women and Children from the Effects of Attacks

In a country like Libya, where the security situation is classified as fragile and outside the control of the state and society, vulnerable groups such as women and children are among the groups most affected by the fragility of the security situation. At all levels, it is confirmed by indicators of violence against women in the country, in which the number of registered cases increases annually. In Tobruk, the Women and Child Affairs Committee stated that it is working in all seriousness to issue a law criminalizing violence against women of all kinds and forms in the near future. This came in a statement condemning the committee's condemnation of the domestic violence experienced by some women in Libya, which led to their deliberate killing for reasons condemned by Sharia and the law (Almabrouk et al., 2021, p. 78).

The committee considered these acts unfair to the victims, who lost their lives in a heinous manner that reflects the brutality of the perpetrators and their loss of humanity, and therefore requires the judicial authorities and all responsible authorities to take the necessary measures to punish the perpetrators. Cases of violence against women in Libya in the past years were not limited to cases of domestic violence, but the country witnessed a number of women victims of political violence, most notably the killing of well-known human rights activist Salwa

Bugaighis in her home at the hands of ISIS members in Benghazi in 2014, and the disappearance The coercion of Representative Siham Sergewa since the beginning of 2017. Issues of violence against women in Libya and the deprivation of their political and civil rights have received great attention from the international community represented in its mission to Libya and repeated calls for action to stop these attacks against women (Johansson-Nogués, 2013, p. 102).

The Fourth Geneva Convention of 1949 was the first convention fully devoted to protecting civilians during armed conflict. This protection has been the protection needed by civilians during both world wars. However, although the said convention includes protecting civilians from the abuse of power by the enemy, it does not address the issue of protecting civilians from the effects of acts of aggression. Leaving little space on this issue, he touched on the protection of only vulnerable groups of civilians. These are women, children, and the helpless (Happold, 2010, p. 360).

Women and children should be removed from areas likely to be affected by armed conflict and placed in safe areas. Aid supplies need to be delivered to women and children, whether they are in safe areas or in their original areas. If aid materials are not delivered, women and children will suffer from malnutrition and hunger.

One of the bad consequences of armed conflicts is the evacuation of civilians. In general, women and children are forced to leave their homes and migrate to safer places within the country because they are afraid of enemy fire. Just as the occupying state evacuates children to another country for the benefit of the child, so too, in the case of evacuation and migration, the necessary protection for women and children must be secured and respected. In the light of what has been said, we will examine this subject: Protection for Women and Children in Hospitals and Safe Zones during Evacuation and Migration

1.5.1. Protection for Women and Children in Hospitals and Safe Zones during Evacuation and Migration

Normal dwellings for civilians sometimes do not provide adequate protection during armed conflict. Since women and children enjoy preferential treatment, their situation is like that of other weaklings. The Fourth Geneva Convention stated that

the parties to the conflict should agree among themselves to establish safe zones and to establish treatment places to protect certain groups of women and children (Shenoda et al., 2018, p. 1).

These areas are located far from the areas where conflicts are taking place. International Humanitarian Law has approved the creation of these zones. These areas are called "neutral zones." Certain conditions are required for the establishment of safe zones. The states that make up those regions have to fulfil many obligations. As we mentioned in the first chapter, these regions are taken under certain protection. Here, we will consider the roles of the Red Cross Commission, the UN and the international human rights organizations.

According to what has been said, the titles of this topic will be as follows:

- Charity work
- Roles of the International Commission of the Red Cross and UN Boards in relief work

1.5.1.1. Charity Works

The emergence of armed conflict in any region often leads to a decrease or sometimes depletion of the food and medical supplies necessary for the survival of civilians, especially vulnerable groups such as women and children. The problem of not being able to deliver these materials to the civilian settlers in these regions increases the danger even more. Sometimes, the situation where the needs cannot be delivered is due to wartime requirements such as the continuation of military operations or the deterioration of the roads that reach those regions. The delivery of aid to civilians contradicts what the other side of the conflict aims at in the war. This leads to the prevention of such substances from reaching civilian settlers (Maher, 1989, p. 297).

When foodstuffs do not reach civilians, the belligerent state and other parties must ensure that aid supplies reach civilians. From another point of view, humanitarian organizations and UN boards and institutions should have a major role in this field. This issue will be discussed under two headings. In the first chapter, the issue of the obligation of the state parties to ensure the delivery of aid items will be

examined. Here, the contract articles that deal with the transportation of such materials and the texts of the contracts that give priority to women and children in the distribution of these materials will be mentioned. In the second chapter, the efforts made by the International Commission of the Red Cross and UN institutions in aid work for the benefit of women and children will be discussed (Lee-Koo, 2019, p. 51).

The IV Geneva Convention obliges states parties to ensure that certain items of humanitarian need are delivered to certain groups from civilian settlers, such as children under the age of 15, pregnant women and those who have given birth. Even if they are citizens of other states that are considered enemies, aid must be delivered to them. Article 23 of the IV Geneva Convention states: Each contracting party must guarantee the freedom of all medicines, medical supplies, and worship materials to be delivered to the citizens of the other party, even if they are from the enemy side. Each of these states must allow freedom to ship essential food, clothing, and supplements for children under 15 years of age, pregnant women, and postpartum women.

The First Additional Protocol greatly expanded the ability to undertake relief work as this protocol constitutes an improvement in international humanitarian law. When compared to the 23rd article of the IV Geneva Convention; it has effectively expanded the beneficiaries of aid work to include all civilians. In addition to this breadth, it added the obligation to give priority to certain groups when aid is distributed. The group of women who are pregnant and giving birth, which is addressed in Article 23 of the IV Geneva Convention, has been added to the group of mothers who are breastfeeding. This group of women has the right to receive aid materials, especially food items, clothes, and other compulsory items (Kadir et al., 2018, p. 1).

From another point of view, the First Additional Protocol stated when adequate assistance is not provided to civilians in territory under the sovereignty of one of the conflicting parties; the sovereign party must approve and facilitate the relief work. This aid work must have a humane and impartial nature, and the necessary assistance must be provided without unfair discrimination. However, this

only happens after the authorized parties have approved such work. Requiring that authorized parties approve or treaty relief works raises a problem because states must accept humanitarian aid for the benefit of their own civilians (Nagle, 2011, p. 1).

This question can be answered as follows. Aid is considered humanitarian when it involves the duty of any state to accept work under the conditions mentioned previously. It is not possible to refuse aid for any reason or to prevent the delivery of humanitarian aid. The International Criminal Court defined the basic system as follows: "As a method of warfare, it is a war crime to starve civilian settlers by depriving them of the items they need, including by denying aid as stipulated in the Geneva Convention because this behavior goes beyond the framework of international armed conflict. In an effort to encourage non-partisan states to assist civilians injured in the conflict, the First Additional Protocol determined that humanitarian assistance by states to vulnerable civilians harmed by armed conflict is neither an interference with the armed struggle nor an unfriendly act.

The parties to the conflict and everyone who is a party to the First Additional Protocol must allow all aid sent and facilitate its rapid delivery to those in need without hindering those who work in those aids. Even though these aids are prepared for civilians subject to the hostile country, they cannot be prevented. Parties to the conflict must protect this aid and facilitate its distribution immediately. The parties to the conflict and the states that are parties to the Protocol, apart from them, are prohibited from using these aids beyond their purpose in any way. However, this aid can be delayed if it is necessary and for the benefit of the civilians. However, these states may impose certain practices such as inspection and technical regulation. In accordance with this regulation, the passage of aid trucks may be allowed. Those states may invoke this authorization on the condition that such aid be distributed under the control of the protective states. These states should work to encourage and facilitate effective international coordination of relief efforts (Dutli & Bouvier, 1996, p. 81).

Rules that protect individuals working in humanitarian organizations are of great importance in delivering humanitarian aid. The First Additional Protocol contains many provisions regarding employees' participating in aid work. Thus these

employees performing their duties, need to be respected and protected (Krill, 1992, p. 347).

The Basic System of the International Criminal Court has also addressed this. The necessity of this is seen as fulfilling a humanitarian duty, and any attack against peacekeeping officials, institutions, units, and formations is considered a war crime in international armed conflicts. The state through which aid convoys pass through its territory may do the following in the case of conflict with the occupying state (Singer, 1986, p. 133):

1. Examining relief convoys passing through their territory
2. Arranging the passages of the convoys and the means of transportation used by them according to the agreements determined,
3. Requesting the protective state to provide adequate assurance that these convoys are allocated for aiding civilians and are not used for the benefit of the occupying forces.
4. The occupying forces must deliver aid to those in need. They cannot prevent aid from reaching them. However, it can be prevented in cases of necessity and with the approval of the protective state.
5. Relief materials should be distributed with the supervision and assistance of the protective state. These aids can also be made under the supervision of another neutral state, international commission or any humanitarian organization, according to the agreement between the occupying state and the protective state.
6. Occupation forces cannot impose taxes and fees on aid convoys.
7. The occupying state must quickly distribute aid items.

Article 3 common to the Geneva Conventions in non-international conflicts (the conventions applicable to non-international conflicts) stated: "An impartial humanitarian organization such as the International Commission of the Red Cross can provide services to the parties to the conflict."

According to the common three articles, humanitarian organizations have the right to offer their services to conflict parties. The parties to the conflict may not unfairly refuse these services. Undoubtedly, the provision of these services also includes aid work aimed at providing food aid in the event of an international armed conflict. If the lives of civilians are in danger and there is a humanitarian organization that meets the conditions (neutrality and non-intervention), this organization can correct this situation. Relief work must continue. Forces that assume the responsibility of protecting civilians in an area of the state cannot refuse such aid without reasonable justification. To refuse such aid is to violate the rule that prohibits starvation as one of the methods of warfare. This is mainly because in this case, without taking any precautions, civilians are left to die by starving intentionally (McKay, 1998, p. 381).

1.5.1.2. Activities of the International Commission of the Red Cross and UN Agencies in Relief for Women and Children

The International Commission of the Red Cross and UN agencies play a large role in relief work among many international and regional humanitarian organizations. This is achieved by delivering aid materials in places where women and children are present or by emphasizing this in the decisions made or in the congresses organized by these organizations (Jacob, 2015, p. 14). The aim of this is to alleviate the suffering of women and children in situations of armed conflict. Besides providing material aid, they also offer psychological support and work on bringing peace between the warring parties.

The activities of the ICRC are related to the assistance of civilians in general and vulnerable groups such as women and children in particular. In other words, the International Commission offers protection and assistance to all civilians in all affairs related to armed conflict. It gives priority to the needs of the weaker groups. Such activities are in harmony with the responsibility given to them by the states. In addition, the ICRC has called for the necessity for penal systems to include adequate humanitarian privileges in their public statements or in their two or multiple deliberations. Sometimes the International Commission enters into discussions with

institutions such as criminal commissions to secure the enforcement of these privileges.

Women and children benefit from International Commission assistance for the benefit of civilians affected by armed conflict. In most cases, the beneficiaries of the International Commission's assistance programs are women and children. For example, in 1972, the ICRC gave a large number of refugees, mostly women and children, in Bangladesh and Dhaka refugee camps various items they needed, such as clothes and beds. During the conflict between Zambia and Rhodesia, of the 29000 refugees from Zambia and Rhodesia, 18000 were youths under 16 years of age. Of those, 300 of them were mothers of small suckling children. In 1980, before this conflict ended, the ICRC provided these people with a large amount of medical and financial assistance (De Silva et al., 2001, p. 125).

In addition to the great work it did in each of the countries of Ethiopia, Sudan, Angola, and Mozambique in the eighties and nineties of the last century, it helped one million civilians who migrated because of the attacks in Rwanda in 1993. The ICRC currently assists 5 million people, mostly women and children, who migrate within their own states in approximately fifty states. In 2001, the ICRC began implementing a card distribution program from civilian prisoners to those in need. In the West Bank, cards worth 135 US dollars were given to every seven people to 2000 families; families started to buy food or non-food items from selected shopping places in Palestinian cities with their cards (Shenoda et al., 2015, p. 309).

In Iraq, the ICRC delivered urgently needed food and household basics to a large number of people in 2016, most of them immigrants living in areas damaged by armed conflict. The majority came from Fallujah and the city of Nineveh. Financial aid was provided, especially in terms of household goods and drinking water. These people lived in temporary tents and camps, where they received aid to improve their living conditions. Among them, many people bought heaters and winter fuel to withstand the harsh winter conditions in Iraqi Kurdistan and Anbar province.

Necessary work has been carried out to meet the most basic needs of people in areas damaged by armed conflict. Drinking water was provided to immigrants

living in the west of Ramadi city. Children were also given medical assistance by supporting the Foot Disorders Outpatient Clinic in Cenef (Lee-Koo, 2019, p. 51).

Delivering aid to the needy is no easy task, even at the best of times. Things become difficult or even impossible when the occupying state blocks aid convoys or when these convoys and humanitarian mission officers are targeted. Therefore, the latest resolutions of the Security Council are directed towards the safe and unhindered delivery of humanitarian aid to civilians, especially women and children. In most of its resolutions, the Security Council has set regulations to meet the needs of women, children, and other groups, such as protection and assistance. The Council includes authorized parties, including influential informal groups. He called on UN officials as well as humanitarian mission officers to guarantee freedom of passage, peace, and security. The Security Council stressed its readiness to establish safe zones to deliver humanitarian aid to vulnerable groups in situations where there is a threat of genocide crimes, crimes against humanity, or war crimes against civilians (Jacob, 2015, p. 14).

This system must include humanitarian exemptions that allow the provision of essential food and medical supplies necessary for the survival of civilians. The Security Council (UNSC) has emphasized the necessity of adding such provisions to its work in recent years. When the UNSC imposed equal punishment on Iraq and Yugoslavia, its policy was to exclude food, medical, and other items necessary to fulfill humanitarian needs. Since the fifties of the last century, the UNSC has mostly emphasized the right to adequate food, shelter, or medical services. The Declaration of the Rights of the Child, adopted by the UN Security Council in 1959, also referred to this.

In particular, the UNSC reiterated that women and children living in the occupied territories should not be deprived of food in emergencies and armed conflicts, in accordance with the declaration issued on December 14, 1974, which is about protecting women and children in situations of emergency and armed conflict (De Silva et al., 2001, p. 125). The UNSC emphasized that governments and others involved in the armed struggle should take measures. These include accepting days of calm and safe passages to ensure the safe and full delivery of humanitarian aid to

all children and civilians affected by armed struggle and to other vulnerable groups without hindrance. In many of his reports, the UN Secretary-General warned the UN delegations, which spread to most of the world's states torn apart by the armed struggle, that the fighters should not use the relief supplies for their own purposes or buy and sell the aid instead of distributing it to the needy. Because of such a situation, the rate of malnutrition increases, especially among women and children.

International Humanitarian Law forbids the forced deportation of civilians. However, when the benefit of the exiled person requires it, this exile can sometimes be legal. This is also called evacuation. The reason for this exile is the repeated violation of International Humanitarian Law. Here, it is aimed that civilians, especially women and children, will migrate to a place away from the operations in their homeland and be settled in safer places within the country (Gardam & Charlesworth, 2000, p. 148).

Whether exile is legal or illegal, the person must enjoy the protection of International Humanitarian Law. In this regard, the subject will be discussed under two headings.

- Protection given during evacuation
- Protection during immigration

1.5.1.3. Protection Given During Evacuation

The state that arrests children in its own country or in the occupied territories must place them in safe places away from operations and provide living opportunities for them. Children under the administration of the detaining state are also the responsibility of that state. The state in question cannot hand over children to unofficial units or organizations. Unless certain conditions are met, it cannot transfer them to the protection of another state.

1- The evacuation must be limited to the time required by the conflict conditions.

2- In the event of force majeure (compulsive) reasons related to the health, medical treatment, or safety of children, the state where the children are located must

transfer the children to another state. For example, if the medical care necessary for the health of children is not available in their country, they must be evacuated.

3- If there are fathers of the children or those who are legally involved in their affairs, the consent of these persons, otherwise, the consent of the persons who are responsible for the care of the children in a fundamental capacity as per the law or custom. This consent must be in writing, not verbal.

4- Evacuation control must be carried out by the protective state.

5- Agreement between the buffer state, the host state, and the evacuated state.

6- The parties to the conflict must take all necessary precautions to prevent the children from being exposed to danger during the evacuation.

7- Evacuation should not deprive children of education. This education includes religious and moral education according to their father's religion.

8- Authorized forces, buffer state, and host state must prepare a card for each child, and the card must contain the child's photo and identity information. These cards are then sent to the ICRC's Center for the Study of Disappearances for the easy return of children to their families and states after the war is over (Nagle, 2011, p. 1).

To support this, the ICRC and the High Commissioner for Refugee Affairs issued a joint statement on June 27, 1994 to cooperate with the UNICEF Organization and the International Federation of Red Cross Societies. This statement emphasized the importance of family unity and the obligation to protect the files of the evacuated children. Approximately 150 organizations participated in this broad program between 1994 and 1997. This program is a program that solves the problems of almost all children who are left alone.

1.5.1.4. Protection Given During Migration

In general, children and women are compelled to leave their homes and make long journeys to escape enemy attacks. This exposes most of them to conditions such as hunger, malnutrition, lack of shelter, health and education services. In addition, this situation exposes them to all kinds of violence, especially sexual violence and abuse.

Women and children make up the majority of the internally homeless and refugees in the world because 80% of those staying in the camps are women and children. Due to armed conflict and human rights violations, one in every 150 people in the world is left homeless. This number is approximately 40 million people. More than half of this consists of children. Among them, approximately 7 million people continue their lives as refugees in other states (Chun & Skjelsbæk, 2010, p. 1).

Women and children who are civilians should live far away from forced migration and eviction. International Humanitarian Law does not allow civilians to leave their homes, except for security and military reasons and in compulsory situations. Even in these cases, necessary measures must be taken to protect and assist women, children, and other civilians, and migration must be temporary.

In this chapter, the types of protection that women and children should benefit from during migration will be discussed.

1.5.1.4.1. Health Protection

It is necessary to provide health care to the civilians forced to migrate by the conflict. Women and children are among the groups most exposed to danger due to their situation. It is necessary to give importance to the activities related to the health care of the mother and child. In other words, it is necessary to have a large-scale vaccination, to prevent child paralysis, fight epidemics, control pregnancy, and provide necessary controls before and after birth (Muhammadamin & Baban, 2020, p. 69).

Alongside the ICRC, UN agencies and informal organizations have an important role to play in emphasizing the benefits of a health check program for internally displaced women and children. In 2001, the ICRC vaccinated children under the age of five in southern Sudan. In order to end the polio disease, the government organized a national drive, gave the polio vaccine to 8,172 children, and provided counseling services to 7,150 pregnant women. In 2002, UN agencies and companies held national immunization days to end polio in Somalia, the Democratic Republic of Chad, Sierra Leone, Sudan, Afghanistan, and beyond those regions. In the Republic of the Congo, great attention has been paid to the activities of the ICRC regarding the needs of women in matters related to pregnancy and childbirth. Actions

have been taken to protect children under the age of five and women of childbearing age against tetanus. Thus, the death rate among children and women was reduced. In situations of armed conflict, women are highly exposed to sexually transmitted diseases such as AIDS because they are sometimes compelled to have sexual intercourse in exchange for food and water (O'Rourke, 2020, p. 1).

1.5.1.4.2. Protection from Sexual Abuse

One of the most severe and biggest violations during migration is the exposure of women and children to violence and sexual abuse. Reports on states exposed to armed conflict state that women and children are exposed to sexual abuse during migration. As a result, a lot of effort has been made by UN agencies and organizations as well as many informal organizations. These organizations have emphasized the dangers of such violations, the necessity of preventing them, and the solutions.

The UNSC, as well as other UN agencies and institutions, called on all states and other parties in the armed struggle to give urgent attention to protecting women and children who are internally displaced and homeless because these people are exposed to assault, rape, and sexual abuse. The UN asked all states to improve their protection and assistance mechanisms (Southall, 2011, p. 35). The joint report of the UN High Commissioner for Refugee Affairs and the Federation of Rescuing Children in Britain stated that 40 agencies and 67 individuals sexually abused refugee children in West Africa.

According to the report, sexual abuse takes place in the camps, and the abusers are people who have power and property, such as camp commanders, security forces, and traders. However, the accusations made against the employees of aid organizations have mobilized the international community. The allegation that workers in international camps resorted to sexual violence against refugees was explicitly addressed in the 1995 UN High Commissioner for Refugee Affairs Directives on sexual violence.

Reports published in recent years state that there is sexual abuse in refugee camps. In 1999, the Human Rights Organization in western Africa stated that sexual abuse is a widespread problem in the Ghana camp. It compels little girls to engage in

prostitution in exchange for fulfilling their obligations. In Zambia, a scandal has emerged regarding sexual abuse in response to the latest education service. Because of this incident, the people responsible in the refugee camp were expelled.

The Standing Inter-Agency Commission has done some work to protect against sexual abuse and ill-treatment in humanitarian crises after the joint report of the UN High Commissioner for Refugee Affairs and the Child Protection League in Great Britain. In this business report, he outlined the basic principles of the June 2001 declaration on the behavior of humanitarian workers, which forbids sexual relations with women under 18 years of age, requiring each officer to report concerns and suspicions about sexual assaults by their friends. The director and those responsible are required to undertake assurance of the implementation of this declaration. The Standing Commission has determined an important way to ensure coordination between agencies and to prevent such crises. The Commission established the Working Group in March 2002, which is mandated to protect against violence and sexual abuse in humanitarian crises. It has given it the authority to make the necessary recommendations to end the sexual abuse by those working in aid organizations and to prevent the misuse of humanitarian aid provided to that group (Olusegun & Ogunfolu, 2019, p. 33).

1.6. Protection of Children and Women Who are Detentions

The Syrian regime did not ban all the conventions related to childhood and their annexed protocols signed internationally and then acceded to in accordance with the established international procedures and procedures. All that it boasts of regarding children and childhood, and its issuance of related laws, including Juvenile Delinquents Law No. 18 of 1974, and the updates that it occurred to him to keep pace with his accession to international agreements. Not all this prevented him from throwing Syrian children under the age of 18 into prisons and the dungeons of humiliation and humiliation that this regime created to punish its opponents, to abolish politics from society, and to silence mouths. Therefore, they stopped the children from participating in the peaceful Syrian revolution, inside prisons and with adults, in clear and clear violation of all international laws, Syrian positive laws, and even the heavenly laws of all religions.

The number of children detained in Syria, according to the Syrian Network for Human Rights, has been documented and they are still in prison, 3155 children who are still under arrest or enforced disappearance in the detention centers of the Assad gang, in addition to a number of them who died under torture. These acts constitute crimes against humanity against Syrian children, through systematic killing and other methods of torture and sexual violence, in addition to the detention of children in adult prisons, flagrantly violating Article VII of the Rome Statute, as well as a flagrant violation of international humanitarian law and relevant Security Council resolutions.

The worst that a person can reach in his moral degeneration 27 years after the adoption of the Convention on the Rights of the Child is the violations against children in Syria challenging the United Nations. This constitutes a disgrace on the forehead of this organization and international human rights organizations, which failed to provide the minimum protection for these children. We know that the child is the building block of society, and if we do not preserve it psychologically, physically, and culturally, we will have lost an entire society when we abandon him (Ahmed, 2019, p. 4).

The report issued by the United Nations Human Rights Office, which was published in cooperation with the United Nations Support Mission in Libya, revealed widespread cases of arbitrary and unlawful detention for prolonged periods and repeated violations of human rights during detention. Since the fall of Muammar Gaddafi's regime in 2011, people smugglers, jihadists, and kidnappers have exploited the security vacuum and chaos to control some oil production areas. With the renewed violence in 2014, armed groups from all sides arrested suspected opponents, critics, activists, doctors, journalists, and politicians, according to the UN report (Beşer & Elfeitori, 2018, p. 4).

According to a toll dating back to October 2017, about 6,500 people are languishing in government prisons supervised by the judicial police in Libya. The report indicates that there are no statistics available on detention centers nominally affiliated with the Ministries of Interior and Defense nor do those directly run by armed groups. The United Nations regrets that these detention centers, which are

outside the authority of the state, are known for rampant manifestations of torture and other violations and abuses of human rights.

The report documents the torture of detainees; beatings on the feet with iron bars, electric shocks, and burning with cigarettes. Detained women are also subjected to torture. The report states that "in some prisons, women are forced to strip" and are harassed by prison guards. Failure to address this will not only inflict further suffering on the thousands of detainees and their families, but also lead to further loss of life. It would also undermine any efforts to achieve stability, peace building, and reconciliation (Kuehne et al., 2021, p. 15).

International Humanitarian Law has permitted any state party to the international armed struggle to take certain measures it deems appropriate to look after its protected persons. The factor that compels the party to take such measures must be security reasons. For example, if the warring party is suspicious that some individuals are affiliated with organizations whose purpose is to cause unrest or to threaten the territory by other means, such as destruction and espionage, he may arrest those individuals when he has serious and reasonable grounds. In addition, the occupation state's protected persons may prosecute them for violating the national laws applicable in the occupied territory or for violating the decisions made by that state to ensure the integrity and security of that territory. Because of this violation, many women and children in states torn by armed conflict and local wars are in danger of being deprived of their liberty. During these severe situations, the person becomes extremely weak and is exposed to all kinds of torture, imprisonment, and living in harsh conditions. Then he is in need of protection and help (Aptel, 2019, p. 15).

There is no more sacred relic on the shoulders of the world than women and children. There is no more important task above their dignity because protecting them and making sure their rights are respected is a way to protect the future of all people. Although the international community has given importance to women and children and has not neglected the protection they need in a special way, we see with great sadness that the rights of women and children are violated in many parts of the world. The biggest and most dangerous of these weapons is aimed at women and

children due to international wars and internal conflicts. These wars leave behind a large number of victims, mostly women and children. To explain this further, we will divide this topic into two headings.

1.6.1. Protection of Detained Children

Even in times of peace, resorting to arresting or detaining children is a measure of last resort and should be done as soon as possible. Article 37 of the 1989 Convention on the Rights of the Child also addressed this. This article, which regulates the detention of children, states that states should undertake the following (Hamilton & El-Haj, 1997, p. 1):

1- No child should be subjected to torture, harsh punishment, or inhuman and degrading treatment. Those under the age of 18 cannot be sentenced to death or life imprisonment for crimes committed.

2- No child will be deprived of his liberty unlawfully or unjustly. The arrest, detention, or imprisonment of children must be in accordance with the law. The detention of children can only be done as a last resort. It should also be as soon as practicable.

3- Every child deprived of his liberty should be treated humanely and accordingly, with respect for the dignity of the child and his needs met.

4- Every child deprived of liberty has the right to legal aid and other appropriate assistance. In times of war, IHL emphasized the need for special protection that women and children in detention should enjoy during armed conflict.

In order to preserve family unity, the Fourth Geneva Convention states that detained children should stay with their imprisoned fathers. Exceptions to this are when required by work needs or health reasons. In these cases, they need to be temporarily separated. Such a distinction was made according to the Coalition Provisional Forces note on prison and detainee management and in line with UNSC resolutions, including resolution 1489/2003. Numerous decisions were made according to the laws and customs of war to create security and humanitarian conditions in the prison. One of those decisions is that those under the age of 18

should be kept separately from adolescent detainees and that women should be kept in a separate prison from the men's prison (Somer, 2012, p. 106).

Regarding food, the IV Geneva Convention states that children under the age of 15 should be given food in accordance with their body's needs. Article 94 of the same convention also obliges the state that arrests children to undertake their education. It allowed children to attend school inside or outside the place of detention. In addition, the same article stated that playgrounds should be allocated in all prisons for children and youth. In addition, in Article 132 of the IV Geneva Convention, the conflicting parties should try to reach agreements for the release of certain groups – including children – who were detained at the time of their acts of aggression (Cook & Wall, 2011, p. 1).

It is not obligatory for the parties to the conflict to make such agreements by any means since these agreements are an insistent proposal only for warring states due to the weakness of children. In many cases, humanitarian approaches are a powerful factor in making such agreements. The ICRC has played an important role in concluding such agreements. For example, in the eighties of the last century, the ICRC visited the Ansar camp in southern Lebanon. The day after the first visit, the International Commission released under its control 212 detained children under the age of 12. After releasing them, ICRC representatives took care of these children. They sent them back to their families in different parts of Lebanon. This event took place in September and October of 1982 (Maxted, 2003, p. 51).

Despite the large number of texts aimed at resolving the issue of child protection during detention, Israel has consistently contested the applicability of international agreements on this issue. These treaties are the IV Geneva Convention, the First Additional Protocol, and the 1989 Convention on the Rights of the Child. In the first six months of the Jerusalem intifada, statistics indicated that 400 Palestinian children were arrested in Jerusalem. Those children were subjected to torture and beatings. This caused some injuries in a different way. The situation was not limited to this, and the families of the detained children were punished. These attacks grossly violate the Fourth Geneva Convention, in particular Article 147 of the convention, which prohibits torture by the occupying forces. Again, these attacks violate article

84 of the same convention, which makes it mandatory for children in detention to be kept in a separate place from those entering adolescence. Some children were even excluded from the occupied territories. This is in violation of Article 76 of the Fourth Geneva Convention. According to this article, detainees should not be kept outside the occupied territories (Wessells, 2017, p. 4).

1.6.2. Protection of Detained Women

Most of the women in the camps are exposed to great risks. Therefore, they are in great need of protection. Some groups of women, such as pregnant women and mothers of young children, are very weak. Therefore, they need additional protection suitable for them and carry risks. Thus, IHL has allocated relevant rules and texts for the protection of women during detention (Gardam & Charlesworth, 2000, p. 148).

According to the texts of the First Additional Protocol, women whose freedoms are restricted due to reasons related to armed conflict should be kept in a separate place from men, and control of these areas should be given to women. However, when prisoners are arrested, special places should be provided for them as much as possible.

Regarding the respect to be shown to women's dignity, according to the general principle set out in Article 27/2 of the IV Geneva Convention, Article 85 of this Convention states: "health services should be allocated". According to the principle of respect for women's dignity, Article 97 of the IV Geneva Convention states in paragraph 4 that a woman under arrest can only be searched through a woman (McKay, 1998, p. 381).

Regarding educational punishments, Article 119 of the IV Geneva Convention refers to the principle of privileged treatment in general terms. It states, "The age, gender, and health status of the detainee should be taken into account. Here, there is no obstacle for the detaining state to apply an education system that is not harsher than the education system applied to men or to women detained in less tiring places".

Women in pregnancy and moms with young children deserve special safeguards. Because of the dire circumstances, expecting moms and their young children should be given top priority. It is for the sake of speeding up the process of

releasing these women; the parties to a conflict are encouraged by the Fourth Geneva Convention to negotiate for the release of pregnant women and mothers of young children during acts of aggression or to return them to their home country or a neutral nation. It is the same with deals to free kids from detention centers. These kinds of agreements are not binding on the disputants because of its confinement to merely reiterating suggestions (Bennoune, 2006, p. 363).

Since the arrest is not a punishment per se but a precaution required by the security of the occupying state, it is unacceptable to cause great harm to the arrested individuals. In Article 91 of the IV Geneva Convention, it is stated that in the case of childbirth, the woman should be taken to any hospital that will provide appropriate treatment. At the very least, the attention shown to the entire public should be shown to him as well. According to Article 127 of the same contract, if the journey is to cause great harm to pregnant women, they should not be transferred to other places. It stated that they could only be transferred to other places if their safety requires it because the purpose is the security of the prisoner, not the security of the military position (Gardam & Jarvis, 2001, p. 2).

1.7. Protection of Women and Children from the Death Penalty

Since the end of the fifties of the last century and the beginning of the sixties, UN agencies have been investigating the issue of capital punishment. Although there is a worldwide movement to abolish the death penalty, it cannot be said that there has been no definite progress in this direction. The fact is that the death penalty, or the threat of its execution, has been increasing visibly in many parts of the world, both in times of peace and war.

Within the framework of international and non-international armed conflict, IHL stated that only two groups of weaker groups could not be sentenced to death or have it applied to them. They, too, are women and children who have committed crimes related to armed conflict (Machel, 2001, p. 1). This issue will be discussed under two headings. In the first title, the protection of children from the death penalty, and in the second title, the protection of women from the death penalty will be examined.

1.7.1. Protection of Children from the Death Penalty

Unlike the general rule that can be deduced from the aforementioned provisions regarding privileges during the distribution of relief supplies, placement in hospitals and safe places, and other protection practices, the protection of children under the age of five in an armed struggle is the basis of these rules. However, in the case of the death penalty, the situation in practice is different because the Fourth Geneva Convention and both Additional Protocols extended the age of protection to 18 (Landers, 1998, p. 1).

The Fourth Geneva Convention applied to the courts of the occupying state and to individuals in the occupied territory; it allowed the death penalty crimes, such as espionage, acts of great destruction, and intentional crimes resulting in the death of one or more persons. However, in these cases, certain conditions have been put forward for the implementation of the penalty. These conditions are listed in Haer (2019):

- According to the court, the criminal should not be a citizen of the state in which the court is located and should not be obligated to the state. That is, the court is under foreign occupation and not under its own jurisdiction, but he must know that he is under circumstances beyond his will and that the authority is in that person's state.
- The death penalty given must be a penalty applied in the occupied territories before the occupation.

In addition, under Article 75 of the IV Geneva Convention, when courts of occupation impose the death penalty on a person in the occupied territories, they must consider the following:

- The prisoner has the right to ask the occupation forces for amnesty or to postpone the sentence for a certain period.
- The death penalty is prohibited for at least six months after the death is reported to the protective state.
- Being under the age of 18 commits one of these crimes; a person cannot be given the death penalty. In order for a child to be protected from the death

penalty, the following conditions must be met (Mazurana & Carlson, 2006, p. 1).

- The crime must be related to the armed struggle.
- The age of the convict at the time of the crime must be less than 18 years of age. It does not matter whether the child is 18 or over at the time of the decision.
- The punishment given to the child should be the death penalty. If a penalty other than the death penalty is given, that penalty is applied.

In general, if the death penalty for the crime committed by the child is death, but he is exempted from it because he is a child, this does not mean that he is ultimately exempt from punishment. It would only be exempt from the death penalty. In this case, a life sentence or, depending on the situation, temporary imprisonment may be imposed.

Article 6/4 of the Second Additional Protocol in non-international disputes stated that if a person did not reach the age of 18 at the time of the crime, he could not be sentenced to death even if all other conditions were met for the death sentence. It is stated in Article 77 of the First Additional Protocol that the execution of the death sentence is prohibited. In Article 6/4 of the Second Additional Protocol, it is stated that a death sentence cannot be given. Although the result of both protocols is the same, namely that the death penalty is prohibited for those who do not reach the age of 18, the Second Additional Protocol is more cautious in this area because, in this Protocol, it is stated that the death penalty cannot be given (Ayissi, 2002, p. 1). A person who has not reached the age of 18 at the time of committing an offense related to armed struggle cannot be given the death penalty, as this decision is grounded in the idea that a person under the age of 18 has no power of appeal. This includes cases where kids are influenced or pressured into doing things.

1.7.2. Protection of Women from the Death Penalty

As we have said before, Article 68 of the IV Geneva Convention stipulates that the age of the person should not be less than 18 at the time of committing the crime, which is among the conditions that must be met for a death sentence for

crimes related to international armed struggle. However, this convention did not address the situation where the prisoner was a pregnant woman or a mother of young children. The domestic laws of most of the world's states are also addressed in this situation. However, the First Additional Protocol: In order to make up for the shortcomings in the Fourth Geneva Convention, he emphasized that the death penalty is forbidden to be applied to pregnant women and mothers of small children. Despite this, the Protocol's authors did not explicitly forbid the use of the death penalty against pregnant women and mothers with young children during times of armed conflict. Such a ban is contrary to the provisions of national laws in most states. However, IHL recommends that such provisions be avoided whenever possible (Gardam & Jarvis, 2001, p. 2).

The agreement between the founders of the First Additional Protocol regarding the prohibition of the execution of the death sentence for pregnant women or mothers of young children was easier than the agreement made on the prohibition of the death sentence. In many states, there are still laws that do not allow the death penalty. However, in practice, this prohibition is not taken into account. However, the inhuman practice of delaying the death penalty for a pregnant woman until after the birth is not implemented both in law and in practice in almost all countries in the world.

The Second Protocol to the Geneva Conventions prohibits the use of the death sentence against pregnant women and mothers with young children in situations that do not include an armed conflict. That is to say, laws analogous to those governing international military conflicts have been implemented here (Machel, 2001, p. 1).

1.8. Protection of Women and Children Participating in Conflicts

The world has witnessed many universal, regional, or wars between two countries. Developing states have witnessed military struggles against foreign occupation. Women and children played different roles in these wars.

The National Consensus Government, which is based in Tripoli and is supported by the UN, is one of the two authorities vying for political legitimacy in Libya. Territorial, resource, and infrastructure management, military violence, and

political unrest all affect the country's approximately 5 million citizens. Over 40% of Libya's population is made up of children, who have been disproportionately impacted by conflict-related acts. The death of family members or other close relatives, as well as ongoing exposure to violence, have had a terrible emotional impact on children. Children have been killed because of human trafficking, forced recruitment by armed organizations, kidnapping and torture by armed groups and in detention facilities, and collateral damage from airstrikes and other targeted attacks, particularly in the southern area (Khosrokhavar, 2016, p. 19).

The threat of association is increased by militia control and presence in areas where children live. Additionally, the protracted cycle of young people's recruitment into armed organizations, which is openly encouraged by their neighborhoods, families, and peers in the name of neighborhood safety, Children and teens fight and are hostile to one another in the neighborhood and at school, and there is also crime and drug use. The amount of professional follow-up when incidents of violence against children are reported is restricted. There is a glaring lack of family welfare and child protection services in communities, notably more specialized and targeted care for vulnerable children harmed by armed conflict. In Libya, there is a lack of understanding and awareness about children's rights, young people's susceptibility to violence, and the effects of conflict and child abuse on male development and emotional health (Almabrouk et al., 2019, p. 80).

Concerns exist now over the involvement of women and children in armed conflict. Armed conflict affects more people than just women and children. They participate in hostilities all around the world and carry weapons. Participation of women and children in acts of aggression can take the form of indirect support, such as transporting supplies and weapons, conducting reconnaissance, using deception and camouflage, or directly taking part in the conflict by purchasing weapons. They even become soldiers for the armed forces and volunteer militia organizations. They are recruited voluntarily or by force.

Although IHL undertakes to protect women and children, as they are civilian individuals, this law does not protect women and children when they participate in acts of aggression and are captured by the enemy. If the military team and any locals

who put up resistance in the soon-to-be-occupied territory fall into enemy hands, they will be considered captives. The latter should not be subjected to torture and similar ill-treatment. They should be provided with medical care, basic needs, protection against acts of violence, acts of revenge, and gender discrimination. They have the right not to be forced to give information other than their date of birth, rank, and where they are assigned. This refers to providing appropriate treatment based on rank, facilitating communication in their preferred language, ensuring that they are protected in safe locations, facilitating meetings with religious and medical officials, and allowing them to fulfill their religious obligations

We examined this issue under two headings in order to address the issue of protection of women and children participating in attacks. The first section will discuss the legal justifications for the ban on female and juvenile participation in aggressive acts, while the second section will discuss the ban on male participation in aggressive acts and the role of the soldier.

1.8.1. Participation of Women and Children in Acts of Assault

Different attitudes have been displayed in the international community towards the fact that women and children participate in acts of aggression and become soldiers. On the one hand, even if there is no agreement on the minimum age to participate in acts of aggression and to be a soldier, it is forbidden for children to be soldiers and to participate in attacks in any way. On the other hand, after the idea that women need protection from the difficulties they face was abandoned, women and children were allowed to become soldiers and participate in attacks. Thus, women began to work side by side with men in difficult jobs and to participate in acts of aggression.

1.8.1.1. Women's Participation in Acts of Assault

1.8.1.1.1. In General Terms

According to the international community, women and girls are not subject to the same restrictions on conscription and involvement in aggressive activities as boys and men are. This is mainly because women actively participate in many armed conflicts in different parts of the world. In fact, women have played an active role throughout history to oppose the danger surrounding their states in the wars their

states have entered. Women joined the armed forces with their warrior qualities, either voluntarily or by force. Between 1990 and 2002, young women served as commanders in at least 54 states. These women participated in acts of aggression in 36 states. Women support the armed forces of their own states by joining resistance groups to secretly deliver information or smuggle weapons.

The role of women in suicide acts can be measured by the possibility of engaging in conflict during a war. An important point here is that a large part of the success of women in reaching the goal is based on their being stronger. This is because women are seen as having a remote possibility of committing such attacks. In particular, women are chosen for armed groups because in some cases, such as infiltration and managing sudden coups, women are more successful. There are many reasons for this too. Some of these reasons are women being less suspicious because in conservative societies, there is shyness in searching for women's clothes, and women can hide their suicide materials under their clothes by pretending to be pregnant.

In this chapter, we will shed light on the experience of the United States regarding the participation of women and children in acts of aggression.

1.8.1.1.2. The American Experience of Women's Participation in Aggressions

In the eighteenth and nineteenth centuries, it was routine for women to be in the American army. In fact, the constant decrease in labor and the constant presence of the US army in the field have made it a necessity for women to be soldiers. In World War I, the participation of American women was limited to the nursing profession but by the end of the war; they served in the army as nurses, marines, and border guards. Some of them were employed abroad. In fact, in May 1917, 400 nurses were sent to Europe by sea, where they were intended to serve in the British attack troops in France. In these wars, women were employed in military factories and workplaces.

After the war ended, the US released all women in the military except nurses, thus reducing their numbers to the desired limit in peacetime. The number of women working in the armed forces during peacetime has become severely limited. In World War II, especially after the attack on Pearl Harbor, after the weakening of labor at

sea, great importance was given to eliminating this deficiency. Because in 1942 the American naval forces thought of using female soldiers to replace the men who had withdrawn from the fleet, the Minister of the Sea decided that women should be a reserve force, not an additional force in maritime, as was the proposal presented by the army at that time.

Although there are different opinions in the US Congress regarding the employment of women in the army, the female service class in the army was enacted in the US Congress in 1942. The Maritime Law No. 689 was approved on 30 July the same year for the creation of reserve seafarers from women. The issue of women's participation in the army was forgotten for the second time until the labor crisis emerged. This crisis occurred in 1950 when the Korean War broke out. However, the participation of American women in these wars was limited to nurses and editorial offices. However, the number of women who participated in the war in the Vietnam War reached 650. The role of women increased compared to the Korean War. The role of the American woman has grown tremendously in the seventies of the last century, especially in the field of naval aviation and missiles.

In the Second Gulf War of 1990-1991, the number of American women who participated in these wars reached approximately forty thousand. This is mostly because they participated in the war as engineers, drivers, technicians and pilots in reconnaissance planes. Because of the role played by American women in these wars, the American Congress repealed the law banning women from aviation in the military in 1991.

1.8.1.2. Children's Participation in Assault Acts

The world did not stand idly by as youngsters were forced into military service and used in attacks. The reason being, he turned against it in the second half of the twentieth century. This has occurred using international treaties or international agreements, such as the two extra protocols to the Geneva Convention or the 1989 Convention on the Rights of the Child on the Participation of Children in Armed Conflict and its Voluntary Protocol of 2000. Similarly, the International Criminal Court's foundational structure in Rome viewed the use of children as combatants in any kind of armed conflict as a war crime.

The questions to be addressed here are even while it is typically chosen to ban youngsters from engaging in armed struggle and from being drafted into the military, which of mandatory and optional military service is at the root of this problem? Does this obstacle entail either direct or indirect involvement in aggressive acts? Are minors (those under the age of 15 or 18) also eligible for certain disabilities? In recent years, numerous judicial precedents have evolved to outlaw both mandatory and volunteer military duty, as well as direct and indirect involvement in aggressive activities against children under the age of 18.

1.8.2. Legal Basis for Prohibition of Women and Children Recruitment and Participation in Conflicts

The participation of children and women in wars has become widespread in many parts of the world. Children are abused by official and unofficial organizations. These formations oblige children to participate in offensive actions by providing combat training and using them to carry weapons and ammunition. This issue will be discussed under three headings.

- the first heading, the legal reasons for the prohibition of being a soldier in acts of aggression,
- the second heading, the legal reasons for the prohibition of participating in attacks,
- the third heading, the prohibition of participating in attacks

1.8.2.1. Legal Grounds for Prohibition of Recruitment in Conflicts

1.8.2.1.1. Prohibition of Conscription

At the Diplomatic Congress emphasizing and developing the IHL applied in the armed struggle (1974–1976), Brazil proposed that those under the age of 18 be prohibited from conscription in the armed forces. However, this proposed change was not accepted. Therefore, paragraph 2 of Article 77 of the First Additional Protocol has been an average solution because this protocol did not prevent children reaching the age of 15 from being recruited as soldiers. However, it also mandates that, for those conscripted after turning 15, the older party be given preference. Since this text has been around for 27 years and contains sufficient information, it can be

used as a sign of people's awareness of the need for states to take steps to raise the minimum military service age to 18. Within this context, it is the intention of the armed forces to shield from harm any citizen between the ages of 15 and 18 who is conscripted into service. This is in accordance with the Fourth Geneva Convention and the First Additional Protocol.

However, a provision identical to Article 77/2 of the First Additional Protocol is not expressed in the common article of the Geneva Convention and the Second Additional Protocol within the context of non-international wars. Some delegates were vocal throughout the debates, suggesting that the minimum age for military duty should be increased to 18. As a result, the decision to set the minimum age for military duty at 15 was made in the face of strong opposition. It is clear, however, that there is little to no significant opposition to boosting the mandatory military recruitment age.

The Convention on the Rights of the Child states in Article 38/3 "States parties will avoid enlisting in their armed forces any minor under the age of 15." From this provision, it is clear that minors under the age of 18 are eligible for military recruitment. According to the contract's first article, however, "kid" means "any person under the age of 18." By combining Article 1 with Article 38/3 of the Convention on the Rights of the Child, we can establish that hiring people between the ages of 15 and 18 is not prohibited.

However, under Article 1's definition of "kid," those between the ages of 15 and 18 are still considered children. There is a significant duty involved with carrying a firearm. Because of this, no one under the age of 18 should be eligible for military leave. The Convention on the Rights of the Child's 2000 Voluntary Protocol provides legal backing for these measures. It is emphasized in this convention that no one under the age of 18 should be forced to serve in the armed forces.

The Guidelines for the initial reports submitted by States Parties under paragraph 1 of Article 8 of the Voluntary Protocol supplementary to the Convention on the Rights of the Child addressed a number of legislative and administrative measures. The latter were prepared by the Commission on the Rights of the Child at its 736th session and 28th session on 3 October 2001 for implementing the Voluntary

Protocol. With these guidelines in mind, governments can better inform the Commission on the Rights of the Child on their efforts to prevent children under 18 from being conscripted into the armed forces. The following are some of these problems:

a- Compulsory military service (i.e., from registration until entering the armed forces), disclosure of the lower limit of the age to be a soldier in the armed forces

b- Documents (birth certificate, written statement...)

c- Any legal decision that allows lowering the age for conscription under exceptional circumstances (such as in an emergency). In this case, information about the minimum age must be provided and the conditions for making this change must be presented).

d- Suspending compulsory military service; however, non-canceling states parties must disclose the minimum age for military service in compulsory military service, as well as provide information on how and under what conditions it will be possible to return to conscription.

The conscription of those under the age of 18 is not limited to the systematic armed forces. Forced conscription by armed groups is also possible. Such recruitment increases in internal armed conflicts. Therefore, in this case, armed groups are required to adhere to and respect the provisions regarding the recruitment of children.

The voluntary protocol expressly forbids the conscription of minors by armed groups. This is addressed in all three paragraphs of Article 4. Article 1 forbids the armed forces of any state from ever enlisting anyone less than 18 years of age under any circumstances. The same article's second paragraph requests that the state parties do everything in their power to stop such recruitment. This involves making this behavior illegal using the law. It is clear that the aforementioned article has addressed the need for improvement in the Convention on the Rights of the Child, because armed groups cannot rely on article 38 of this convention to prevent the conscription of minors.

Article 4 of the Sought-after Protocol lays forth rules for the submission of the following data by States Parties: Here are the guiding principles:

a- Armed groups operating in the territory of the State party or enjoying security on its territory

b- Any negotiation between the state party and the armed groups

c- Detailed information on children recruited and recruited in war actions and children detained by the state party (for example, gender, age, region ("village areas and urban areas', social origin, length of service in armed groups, time to participate in war actions)

d- The presence of a written or verbal obligation by armed groups not to recruit children under 18 years of age and not to use them in acts of war.

e- Measures taken by armed groups in order to raise awareness among armed groups about the necessity of not recruiting children under the age of 18 and the legal obligations regarding the minimum age limit for recruitment and participation in war acts set forth in the Voluntary Protocol legal measures and judicial decisions aimed at criminalization.

1.8.2.1.2. Prohibition of Voluntary Military Service

Article 77/2 of the First Additional Protocol prohibits the conscription of children under the age of 15. However, it is not specified whether this prohibition covers compulsory or voluntary military service. During the discussions of this article, voluntary military service was not mentioned. The aforementioned article of the contract sought an average solution. Limits that are more flexible have been introduced for the voluntary enlistment of children under the age of 15 than for compulsory military service. The ICRC has opposed the voluntary enlistment of children under the age of 15.

Voluntary military service is not mentioned in article 38/3 of the Convention on the Rights of the Child as it stated: "States that are parties are prohibited from accepting into their armed forces any person who has not reached the age of 15." In the midst of the debate over Article 38 of the Convention on the Rights of the Child, the International Commission re-raised the question of voluntary military service.

Seeing that the expression of conscription includes compulsory and voluntary military service, he explained it as follows: Although voluntary conscription is optional, formal enlistment and then joining the armed forces shows that it is a compulsory job. This action is strictly prohibited by IHL.

In addition, the Voluntary Protocol obliges states that allow minors to join their national forces voluntarily to establish certain safeguards as a minimum.

a- Voluntary participation in the military

b- Conscription is expressly approved by one's parents or legal guardians.

In order to fulfill these guarantees, states that the parties should address the following in their reports to the Commission on the Rights of the Child:

a- Describing in detail the procedures used in such recruitment (from declaring the intention to volunteer to actually joining the armed forces)

b- Medical examination prescribed before the volunteers are recruited

c- Document required examining the ages of the volunteers (birth certificate, written statement...)

d- Information given to volunteers, their fathers or legal guardians to express their views and raise awareness about military service.

e- The minimum period of service, the earliest release conditions, the application of justice and military discipline rules to those under the age of 18, detailed information about these soldiers, the limit of trial and arrest, and the minimum and maximum penalty foreseen in case of desertion from service.

f- Incentives used by the national armed forces to encourage volunteers to enlist (educational scholarships, publications, social activities in schools, games, and anything else).

1.8.2.2. Legal Grounds for Prohibition of Participation in Assault Acts

Violence is never acceptable for anyone under the age of 18. The best interests of the child are not served when children under 18 take part, as stated by both International Humanitarian Law and Human Rights Law. To comply with the IHL, all parties to an international war must take all feasible steps to prevent children

under the age of 18 from directly participating in aggressive acts. However, when domestic or regional disputes erupt, those under the age of 15 are legally barred from taking aggressive action.

There are many positive outcomes for youth if the minimum age for assault participation is raised from 15. These kids can have the safety net that people get in wars if they try. However, in conflicts that do not include other countries, increasing the age requirement represents a significant change in the law. All minors under the age of 15 who directly participate in acts of aggression and who are captured are entitled to the protection afforded to them by Article 4/3/C of the Second Additional Protocol. However, youngsters between the ages of 15 and 18 do not have any additional safeguards put in place for them.

However, the article's language does not exclude the provision of additional safeguards for minors older than 15 who are held as prisoners. In addition, children enjoy the same protection that applies to any person who does not participate in or refuses to participate in acts of aggression. Likewise, these people benefit from special protection in cases such as wounds, illness, or drowning. Finally, they constantly benefit from the decision that states that people under the age of 18 cannot be executed when they commit a crime. However, not all provisions applicable in non-international conflicts provide broad protection for children between the ages of 15 and 18 because most of today's armed conflicts are non-international in nature.

As for the Human Rights Law, article 38/2 of the Convention on the Rights of the Child is as follows: "States parties are required to take all practically possible measures to ensure that persons under the age of 15 do not directly participate in warfare."

Because of all these, the Voluntary Protocol has arranged to increase the minimum age to participate in acts of aggression to 18. However, most of the provisions of the article that address the issue of prohibiting children from participating in acts of aggression only refer to the prohibition of directly participating in acts of aggression, not indirectly participating in acts of aggression. At the Diplomacy Congress of 1974-1977, the ICRC proposed that the word "direct" be removed from the First Additional Protocol.

However, this proposal was not accepted. During the preparation of Article 38 of the Convention on the Rights of the Child, there was a debate about prohibiting children under the age of 15 from participating in acts of aggression. Here you can participate directly; it should be emphasized that it does not include actions such as searching for military information, transporting them and transferring weapons, food, and logistics. Children themselves usually do these tasks. The physical characteristics of children lead to such abuse and use of children. For this reason, it is an important issue that these activities, which are one of the ways of indirectly participating in the attacks, are also prohibited because they are generally at the level of the danger of war.

Article 1 of the Guidance Principles required states parties to provide assurances to the Commission on the Rights of the Child that members of the armed forces under the age of 18 years would not directly participate in acts of aggression. This was done so that the concepts of direct participation and indirect participation in offensive actions could be clearly distinguished. The legal definition of indirect participation included acts like transporting individuals to the battlefield, and directly participating in hostilities

1.8.2.3. Prohibition of Participating in Assault Actions

It is a fact that children who participate in acts of aggression suffer much more physically and psychologically than adults are. Children under the age of 18 have not yet reached the age of physical and mental maturity to face the violence of armed conflict. These children are sometimes exposed to dangerous psychological disorders due to the acts of violence they see. Because children are not physiologically and psychologically mature, they may not know the consequences of their actions. Children may violate the rules of International Humanitarian Law. In these cases, it can become a threat to civilians. The active participation of children under the age of 18 in assaults exposes other children who do not participate in assaults to assault because the hostile side is suspicious of their participation in offensive actions. Thus, reducing the actual participation of those under the age of 18 also reduces the doubts about such participation.

There is a risk that young kids will be subjected to sexual exploitation or forced labor. In practice, it is frequently unclear what constitutes direct vs. indirect involvement because distinguishing between youngsters who are members of military forces or armed organizations and indirectly participate in acts of aggression and other individuals in the armed forces or armed groups is challenging. Therefore, shielding these kids from hostile fire is useless. They are just as vulnerable to harm as other kids and grownups who take part in acts of hostility by standing by and watching.

1.9. Violation of Women in Armed Conflicts in Arabic Countries

All eras and all continents have seen violations of women during armed conflicts, and many present-armed conflicts, including those in South Sudan, the Democratic Republic of the Congo, Syria, the Central African Republic, and Colombia, continue this practice on a massive scale. The following points will be clarified with regards to women's rights breaches that occur during wars.

1.9.1. Violations of Women in Armed Conflicts in Yemen

It is one of the violations that Yemeni women have been exposed to, committed by the coup militia against Yemeni women, such as mutilation or sexual harassment, violence or killing and injury, and the wounding or killing of heads of households, and the displacement of thousands of Yemeni women.

It is clear from those words that women in the State of Yemen are exposed to many violations in their lives in times of armed conflicts, and it is in their nature that they endure all the ills caused by armed conflicts. Yemeni women are among the most vulnerable victims in this country. Women have been at risk for the duration of war and conflict. This risk may be physical, psychological, and moral, and it occurs considering that women do not play an active role in creating or stopping wars.

A report on "Yemeni Female Journalists: Challenges in Peace and War" has monitored many violations that women have been exposed to during wars and armed conflicts. They range from beatings, threats, killings, cutting salaries, deprivation of jobs, arbitrary dismissal, and other dangers exposed by women. Yemeni in the

society in which she lives. This report, from the Center for Studies and Economic Media, indicated that women and girls working in the media account for about 20% of the total media workers and only about 11% of the Yemeni Journalists Syndicate members (Islam, 2017, p. 17).

Maat Foundation called on the member states of the Human Rights Council to put pressure on the Houthi militia; This is in order to stop the violations that Yemeni women are exposed to in the period of armed conflicts, and it also takes account of the criminal who commits these violations against women. Through the intervention, Maat Foundation affirmed its total rejection of the violations committed by the Houthi militia supporting Iran from Iran against women in the state of Yemen since its coup against the legitimate authority in the country in 2014. Women have faced various and different types of violence during the period of armed conflicts, and they have endured all the scourges resulting from armed conflicts, so they have been the most victimized by wars and conflicts that they suffered psychologically, morally, and physically. Maat stated that the statistics that were communicated during the last four years on the number of women who committed this crime were more than 20,000 cases of violations against women in the State of Yemen, including physical assault, killing, injury, and cases of violence, and this happens to women in particular. In the cities and areas controlled by the Houthi militia,

The "Houthi Militia" is clearly and directly responsible for the violations that women are subjected to in the State of Yemen during the period of armed conflict. In addition to its practice and the most horrific types of violations that include physical and verbal harassment, mutilation, depriving them of education and work, and forcing them to marry early, this is a serious issue since it violates the rights of women during war. Yemen's nationality is guaranteed by the constitution, national agreements, laws, and international charters ratified by the State of Yemen (Samar, 2019, p. 7)

Al-Amiri mentioned many news reports related to the status of women in the state of Yemen, and this is after the Houthis seized power in September of 2014. Women in the state of Yemen were subjected to sexual and verbal harassment during the period of armed conflict, and they suffered the largest share of harassment and

harm by Houthi militias in the institutions and cities they control or from the participation in which they participated in harassment and assault. It mentioned that "the war has become a threat to women's right to life and their severe exposure to dispossession, displacement, raids and other violations that Yemeni women faced during the armed conflicts" (Islam, 2017, p. 18).

1.9.2. Violations of Women in Armed Conflicts in Libya

A resolution was issued on the human rights situation in the State of Libya, in particular on Libyan women and underage girls, from January to December 2019. This resolution sheds light on six priority areas, namely women and children's safety during wartime; the plight of refugees and migrants; the administration of justice and aid for victims of violence against women and girls in Libya. In the State of Libya, it has been emphasized that violence based on sexual violence leads to the weak health status of Libyan women and leads to a weakening of their dignity, independence, and security. In spite of this, in spite of this, it does not occur to him to refrain from the culture of secrecy.

This follows up on the statement of the UN envoy that a large number of weapons and their spread in Libya lead to great harm to women and girls. Libyan women are still subjected to imprisonment in prisons and arbitrary detention without guards, and girls and migrant women are particularly vulnerable to abuse, as it includes rape and other acts of sexual violence that lead to significant harm to a woman in her life, as well as detention and beatings for indefinite periods in appalling conditions.

In the Libyan state, there has been talk about the continuation of human rights violations, especially violations of Libyan women at the time of armed conflicts in the detention centers of illegal immigrants, as well as the situation of women in very important issues, and these issues the United Nations is obligated to address. The United Nations has emphasized ending the serious crime of violence against women in the State of Libya and is also supporting women to reach a level that enables them to exercise their political rights on the one hand and with their counterparts in the government, organizations, and women's groups on the other.

At the International Day, which was decided by the United Nations General Assembly as a day to eliminate the violent crimes that are directly committed against Libyan women, the Minister mentioned in this conference that the crime of violence against women has many forms and types. This includes physical violence that leads to the weakening of the status and importance of women through abuse, marginalization, preventing them from work and education, or legal violence. The latter is one of the worst types of community violence against women.

It was due to the political conflict and polarization and the resulting armed conflicts and poor security conditions that, in some cases, Libyan women fell victims to wars and conflicts. Among them was the assassination of the human rights activist and lawyer Salwa Bugaighis in June 2014 in the city of Benghazi; the representative of the General National Congress from Derna, Fariha Al-Barkawi, was assassinated; and the representative of the Libyan House of Representatives, Sabah Al-Hajj, was assaulted by beating her inside her apartment in Tobruk on February 16, 2016. Videos were published on social media about the assassination of the Representative of Parliament, Siham Sergewa, and she was insulted and verbally abused by one of the employees of Al-Abraq Airport.

As for Libyan women, they have faced mistreatment in the society they live in, where many detention centers are overcrowded. They suffered from the lack of basic services. They also faced exploitation in society by many parties, which eventually led to sexual exploitation.

Samiha al-Meshri, a women's rights activist and media person, has stated that violent crimes against women at the times of armed conflicts are behavior that has negative effects on women. This behavior results and accumulates through bad manners and ignorance of the men who commit this crime against Libyan women and girls. These crimes lead to many psychological issues that women and girls develop after being exposed to them. It also creates negative effects on adolescents and children, and this leads some groups of girls to develop intense hatred towards men and marriage life, and leads to the creation of a psychological chasm and the birth of grudges, revenge, hatred, and regression towards this crime. Lawyer Nada spread awareness about the violent crimes against women due to the lack of

comprehensive laws and rules to protect them, and conducted the process of Libya's accession to the human rights treaties related to women. Although formally admitted, there has been no substantive improvement in safeguarding women's rights. She gives a report to the UN body on Libya and its commitment to an accord aimed at ending discrimination against women in Libya, especially during times of crisis.

Additionally, she has indicated that an existing paragraph in the draft of the particular committee connected to the prohibition of all types of discrimination against women has been removed. Abuse of women and girls takes many forms, including denial of basic rights like maternity leave and the right to work, coercive relationships like marriage, and harmful practices like childbearing outside of a woman's will, like forced marriage. This text has also called for the standardization of the addressee in the Libyan Constitution. This could be done by adding the female pronouns to each male pronoun, by specifying the addressee while adding an enforced article that asserts that it applies to men and women, or by omitting the female pronouns, indicating a female addressee when necessary to avoid any confusion.

In many cases, violent crimes committed against women include torture, imprisonment, forced displacement within or outside the country, and isolation specifically targeting female activists in Jamahiri society. There is also deliberate marginalization and besieging of civic activists, restricting women's agency and freedom of movement, work, initiative, and dress. This is in addition to preventing them from driving cars in the city of Derna, which is subject to terrorist groups. The women of Tawergha were facing the crime of mass displacement at the time of armed conflicts, and the women of Libya faced difficult and severe conflicts and wars with terrorism and its groups in many cities, including the city of Benghazi, the city of Kasabratha, the city of Sirte, and the city of Derna (Goetze, 2016).

1.9.3. Violations of Women in Armed Conflicts in Syria

The violent crimes perpetrated in the General Judiciary, Family Judiciary are long established, and at the time of armed conflicts, they increase due to the wars and conflicts that the country goes through. Many laws mentioned put a complete end to this process against women and girls, especially in the six personal status laws,

nationality laws, and penalties. According to Security Council resolutions, in particular, Resolution No. 1325, there were various forms and types of abuse that Syrian women faced at the time of armed conflict. It stated the following (Internatonal Rescue Committee, 2013):

1. The violent crimes perpetrated against Syrian women and girls:

Many international and domestic reports have pointed out an increase in the number of sexual violence crimes perpetrated against Syrian women and girls. Among these reports is the report by the International Rescue Committee, which specifies that sexual assault is a "prominent and concerning characteristic" throughout the Syrian War. The International Federation for Human Rights, with a focus on women's rights, reported on this action in their reports and stated that it includes most types of sexual assault and abuse recognized by the Federation delegate. These crimes were committed by both the government and Shabiha forces while inspecting the house and at the time of incarceration, as well as the cases of sexual assault against women in public or in front of a relative of these women. Many of the assaulted women and girls were murdered at the hands of the perpetrators of these heinous crimes without those rapists facing any punishment or accountability. This has led to various psychological traumas among victims and survivors. Furthermore, some of the women and girls had to carry out forced pregnancy because of the sexual assault.

2. Human trafficking:

Although there are many laws and rules whose goal is to protect people from trafficking in evil, this crime was widely spread in Syrian society before and at the time of armed conflicts, and despite the lack of official statistics, this crime is extremely widespread at the time of armed conflicts. Some also take advantage of women’s financial situations, especially in refugee camps. This has led to the imprisonment of many Syrian women in Lebanese prisons with charges of prostitution.

3. Detainees and forced disappearances:

Detainees and forced disappearances are considered one of the top challenges when documenting abuse in Syria due to the practices of government forces and

militias that are closely related to a regime of intimidation and repression against Syrian activists in the field of documentation. It has prevented independents who monitor women's rights from working inside as well as imposed many social and psychological pressures on the incarceration process, fearing the abuse that women and girls face. It became hard to reach information sources that document all the data related to female detainees. According to the statistics, 76% of detainees documented were said to be inside security branches and other secret places of detention, and only 24% were in central prisons. The time spent in prison is considered a defining time in women's lives and they are unable to move past what they faced in terms of grievous violations even after leaving prison. As they are hunted by what happened to them and what they lost of their human dignity, this leads to many psychological, physical, and social issues (Samar, 2015, p. 7).

4. Targeting civic activists and human rights activists:

The types of violence and repression against civilian activists are widely inflicted by the security services that are connected to the Syrian regime. The activists faced various violations such as abduction, arrest, and torture inside and outside the security branches and official and secret detention facilities.

Although women and girls remained inactive in the face of combat operations, and their work was limited to the civil movement and relief work in the Syrian regime, this regime has claimed that those women activists are nothing but saboteurs and terrorists and has taken measures of arbitrary arrest and enforced disappearance. At the time of their detention, the activists faced torture, mistreatment, solitary confinement, murder in most cases, and sexual harassment in official detention centers and other unrecognized places under humanitarian conditions, and they were also deprived of their rights due to their arrest. Detention also has many repercussions on women in general and on activists and human rights defenders in particular, even after its termination. The psychological, social, and economic impact that it leaves on their lives is not limited to being discharged from educational institutions and work, but could also include exclusion and being divorced by the family and the local community. In addition to the indirect threats,

harassment, and pressure, this forced displacement aimed to empty the country of civic activists (Samar, 2015, p. 7).

Activists for women's rights claim that these things happen to Syrian women during times of war. The Committee on the Elimination of Discrimination against Women expressed grave concern in Syria's second periodic report about the impact of sanctions on female human rights defenders and humanitarian relief workers since the onset of hostilities.

1.9.4. Violations of Women in Armed Conflicts in Iraq

The annual human rights report on the conditions of prisons and detention centers in the Republic of Iraq for the year 2012 mentioned the presence of a large number of women and girls inside prisons. This report also mentioned cases of abuse of female detainees and being raped or threatened with it, and this was recorded during the year 2012. Most of the women and girls' prisons are filled with nurseries for children who are closely related to their inmate mothers, and this happened in the women's prison in the city of Baghdad and other prisons where this system takes place. They may also be filled with special equipment for people with special needs. This report indicated that the total number of women who have been detained in prisons is about 1165, and this will continue until the end of 2012 in prisons and detention centers in the Republic of Iraq. Iraqi sociologists, such as Dr. Ali Al-Wardi, have also mentioned that the culture of conflict in the Republic of Iraq stems from the existence of two value systems, namely urban and Bedouin, and that this leads to the existence of a state of duplication where violent crimes are one of its measures for dealing with the other. The culture of armed conflicts leads to the militarization of society and causes violent crimes to happen daily in the country and even in the streets. This culture is one of the most important ideological axes of totalitarian regimes, and in these conflicts, women are the first victims to be exposed to harm and danger in times of armed conflict (Al-Mahdawi, 2015, p. 11).

1. Forcible Displacement:

This phenomenon has forced Iraqi families, on top of which many of these families were women, to leave their homes and move to other places, and this has included losses of social connections, local interests, and property rights. Many

families were forcibly evicted by the end of 2006, according to the United Nations High Commissioner for Refugees, and large waves of people had fled the Republic of Iraq.

2. Prostitution and Women Trafficking:

Before the regime fell into ruins in April 2003, the Iraqi laws, along with the state institutions, prevented phenomena such as prostitution, sex trafficking, procuring, and slavery as well as the spread of the crime of poverty, violence, and the desire to leave Iraq. Days after the fall of the previous regime, female inpatients in the mental hospital were assaulted as well as operations to abduct many women from the state's orphanages and sell some of them in one of the areas in Baghdad, in addition to a huge number of women and girls who were recruited to work as prostitutes. Due to the absence of legal oversight, brothels appeared in the city of Baghdad for them to engage in prostitution, even though Iraqi law considers this act to be a crime and the penalty for procuring it amounts to the death penalty for those who commit this crime. The Iraqi press has published threats to women at the times of armed conflicts, liquor sellers, and cinemas that they will face dire consequences (Samar, 2015, p. 8).

3. Threatening Women in Leadership:

Women were the first victims to fall into the hands of danger due to armed conflicts. In the Governing Council, the Advisor to the Ministry of Municipalities and Public Works was assassinated and a Parliament Member resigned after she was threatened to care for her children after she had become the only working member of their family since this operation resulted in the murder of her husband, brother, and brother-in-law. Attempts and killings were carried out; government cars carrying female employees and employees were bombed several times; the wives and sisters of officials, including the sister of the Vice President of the Republic, and the head of the Widows Association in Al-Amarah, were killed.

4. Magnified Violence Against Women from Minorities:

Although Christian minorities represent an integral part of Iraq's culture and cultural history, these minorities were subject to religious extremism in certain places and victims of political ambitions and goals in other places, with the exception of

some places that they resided in for many years. In addition, many Christian women were assassinated in their homes or on the streets, and a religious extremist group demanded that they leave Iraq through a pamphlet presented by Iraqi newspapers. Women from minorities suffered greatly due to the crimes they faced in the time of armed conflict.

5. Domestic Abuse against Women:

The abuse imposed on women based on their gender includes grave harm, whether sexual, physical, psychological, or suffering for women, as well as threats from those who perform such acts.

6. Non-domestic Abuse against Women:

In times of armed conflict, whether that violence is internal between nations or external between international parties, there is an upsurge in major abuses of human rights. These violations are already occurring, with cultural roots that extend throughout the history of society. Women in Iraq are symbols of honor and clan in their societies. In addition to that, armed individuals lean towards forms of rape and torture when the rule of law collapses. These violations existed before armed conflicts and continue to exist after their flame dim and distinguish, and even increase more due to the preoccupation of leaders and politicians with the process of distributing power or because they declare their adherence to the norms and values of traditional culture. The goal was to win over some groups that found women as beings without rights outside the patriarchal family.

There has been an increase in cases of sexual assault in Iraq since 2003. About 60 women were raped in the city of Baghdad between February and June 2006, and about 80 women were subjected to abuse. The Ministry of State for Women's Affairs also indicated that out of 400 cases of rape documented from April 2003 to the end of 2006, half of the victims were killed; otherwise, they are known as honor crimes. Women in Iraq are both perpetrators of violent crimes and, at the same time, victims of these crimes. This was explained by a conference of the Ministry of State for Women's Affairs in November 2008 for many and varied reasons, such as extreme poverty, loss of relatives, depression, illiteracy, anger, despair, brainwashing, and coercion.

1.10. Conclusion

Women and children have been afforded both specific and general protections under international humanitarian law during times of armed conflict. All individuals, regardless of age or gender, should be afforded the same level of protection. The Third and Fourth Geneva Conventions, along with their respective Additional Protocols, provide this form of security. Only specific women and children fall under the aegis of the applicable article's special protections.

Most of the contract clauses addressed the special needs of women, such as those who are pregnant, nursing, or caring for young children. However, these safeguards should have been universally applicable to all women. Due to their anatomy and vulnerability, women of all backgrounds should be afforded equal protection.

There are a few ways that the protection age for children has been established. The age of protection in the Convention varies between 12 and 15, with some versions mirroring the language of the IV Geneva Convention and providing protection to minors as young as 12. No kid should have to wait until they are 18 to start reaping the benefits of this safeguard. Because kids require extra safeguards because they cannot be expected to have the same level of awareness as adults. Furthermore, the age of protection must be consistent with the majority of international accords that establish 18 as the minimum age of childhood. Because of these factors, we must increase the age of legal protection for minors to 18.

Article 14 of the Fourth Geneva Convention states that "safe zones will be established for the purpose of protecting women and children." However, the situation in practice shows that this is not the case because the parties to the conflict are neither required nor ordered under this article to set up safe zones. The creation of such buffer zones is discretionary as per this provision. Safe areas are the only form of protection advocated for. Therefore, the treaty does not mandate the establishment of such zones, and their existence is contingent on the consent of the belligerents. Due to the nature of armed combat, it is unusual for a safe zone to be established. When one side proposes a buffer zone to protect its troops, the other

finds it more difficult to move in and launch attacks. Although this latter justification is valid, it should not impede the creation of such areas.

In our opinion, the parties should be mandated and obliged by an amendment to article 14 of the Fourth Geneva Convention because the most effective measures for shielding civilians, especially women and children, from harm during wartime are outlined here. It would be unnecessary to explore other sorts of protection that should be given to women and children during armed conflict, such as protection during migration and evacuation, if opposing parties simply built and required one another to observe the protection of such zones. The separation of citizens and soldiers is preserved in these zones. This is mainly because innocent people like women and children would not have to worry about being targets of random violence.

Clearly, the First Additional Protocol demonstrates that International Humanitarian Law recognizes the need to safeguard children from expulsion. Reasons relating to the child's health must be provided as a condition of the exile, and this article makes temporary exile mandatory. Therefore, we believe that the child's physical and mental well-being should be considered prior to his banishment. Article 78 of the First Additional Protocol makes it clear that a child's health must be the driving factor behind his or her exile. We believe that all people under the age of 18 should be included in the current framework protecting children from the death sentence. All measures taken to safeguard children in times of war should adhere to these principles, as set forth in the Geneva Convention and its two supplementary protocols.

Our research led us to the following conclusions about the safety of female and juvenile combatants. This Convention's provisions deal with the problem of child soldiers and their use in aggressive activities. It was explicitly forbidden for minors to take part in any aggressive activities under the Second Additional Protocol. In spite of this, he conceded that a 15-year-old could serve in the military if he so chose. This is also true for the Convention on the Rights of the Child. Since this age was established at 15 in the third paragraph of Article 38 of the Constitution. For women, it is clear that their physical bodies are more vulnerable to the harm that might result

from aggressive acts. We believe that conditions for women to engage in aggressive activities, especially if they do so freely, should be made worse.

To enforce the ban on children's participation in armed conflict, all contracting States will take such domestic legal measures as are necessary. It is unacceptable to enlist or otherwise involve minors in aggressive activities like military service. The rules against such behavior must be taught, and all communities, both official and informal, should be urged to adopt and apply them. Recruits under the age of 18 must be subject to criminal penalties, and amnesty laws and rules should not apply in cases where a recruit is a minor.

In conclusion, our research showed that International Humanitarian Law (LHL) generally provides for the needs of women and children during armed conflict. Only through real practice and respect to the words of the Convention in IHL can these needs be met and women and children protected in times of armed conflict. The terms of these contracts should be adhered to without the need for any additional laws to be established.

Based on our findings, we propose the following changes. Humanitarian law provides a framework for bolstering the rights of women and children in the legal system. As long as governments adhere to the general and specific terms of the Fourth Geneva Convention of 1949 and its two Additional Protocols of 1977, women and children should be afforded greater protection within the context of international armed conflict.

In order to realize the purpose of these international efforts, first of all, the relevant units should:

1. National associations should be supported by means and mechanisms for state and armed groups to influence children to improve their local laws so that the minimum age to participate in armed conflict and be drafted into the military must be 18. In other words, it is necessary to increase the protection limit of children to the age of 18.
2. Article 14 of the IV Geneva Convention needs to be amended to mandate and oblige the conflicting parties to do so, not recommend the establishment of a

safe zone since this article includes the most important forms of protection of women and children in armed conflict.

3. During exile, a balance must be maintained as required by the health and psychological conditions of the children. Article 78 of the First Additional Protocol clearly indicates that the reason for exile should be related to the child's health and psychological state.
4. Regarding the enlistment of women and children, the prohibition should cover compulsory and voluntary military service, participating in acts of aggression directly or indirectly, and all children who have not reached the age of 18, based on the grounds on which the law is based and the case supports. More rigors should be exercised in the recruitment of women, including voluntary enlistment.
5. The ICRC needs to ensure that all parties involved in an armed conflict learn the best of IHL, particularly in the field of preventing sexual violence, as well as raising the awareness of combatants about the dangers and forms of all sexual crimes.
6. IHL rules should be widely disseminated. This constitutes an obligation that states must abide by in all cases. This requires states to introduce the concept of protection of women and children into their domestic laws.
7. All the decisions taken by IHL for the protection of women and children should be employed in universities and specialized institutes, and this awareness should be conveyed to all segments of the country, starting with the youth. It is necessary to hold campaigns in high schools and equivalent schools, orphanages, children's clubs, and other places in order to encourage scientific research and symposiums in universities and specialized institutes, and to raise awareness of women, children, and youth in general, and women, children, and youth in particular.
8. Work should be done to relieve international institutions and commissions from the pressure that leads to loss of confidence, to end dual measures in international humanitarian cases and to produce a definitive formula. This

work requires a serious international will to work for a purely humanitarian cause.

9. Effective measures should be taken to prevent the trade in light weapons and the transfer of those weapons to countries at the center of armed conflict.
10. Professional work programs should be prepared in order to raise awareness and educate women and children who are under intense pressure due to armed conflicts.
11. The statutes that protect women and children in peacetime need to be supported by field studies of international and national forces that give rise to armed conflicts.

According to Maulidyta and Alief Hidayat (2022), Violations and humanitarian crimes, including sexual violence, committed by the army against women in conflict or war zones must be addressed immediately. The Geneva Conventions provide legal protections for women, and it is important that they are enforced and implemented properly in order to prevent further harm and loss of life. To support this effort, international gender units, the International Criminal Court and the International Court of Justice, and United Nations bodies should be established and strengthened to ensure the enforcement of good laws and the protection of women and children as part of humanity. It is also important to take measures to prevent sexual violence and the targeting of women as a tool of war in future armed conflicts (p. 259).

2. THE PROTECTION OF CHILDREN IN RIGHT OF THE RULES AND PRINCIPLES OF INTERNATIONAL HUMANITARIAN LAW

2.1. Introduction

Introduction Children constitute a large and important segment of society, and the efforts made to improve the conditions of this age group in society are considered a fundamental pillar of the foundation for preparing the human base that is qualified to be used later in productive and effective use. The concern for children's issues and their rights and meeting their basic needs does not come from a vacuum, as all international organizations and summits are compatible. Just as international and Arab and regional conferences for the protection of childhood are compatible, not only on the protection of children (Ayissi, 2002, p. 1). Rather, it is based on the principle of the first call to childhood in the various situations of peace and war and the vicissitudes of politics and economics.

The worldwide community has made tremendous strides in the previous decade toward bolstering the emotional and physical well-being of children by way of the achievement of the development goals. Conflict has not yet been acknowledged as a major barrier to basic education, maternal health, and the reduction of child mortality, and much work remains to be done in these areas. In times of war, children are always safe and well taken care of everywhere on the globe. Killing, maiming, sexual violence, and forced recruitment into the military and armed groups are all clear violations of international humanitarian law that disproportionately affect children. However, many children also lose their lives because of the indirect effects of war, such as a lack of access to medical care, food, and water (Poulatova, 2013, p. 31).

When international law first began to focus on protecting children's rights, one of its primary concerns was shielding them from the consequences of war. However, this safeguard was only available in black-and-white photos. Although the Declaration of the Rights of the Child (1924) was written in response to the plight of children in the Balkans during the First World War, it failed to include any

provisions for the specific protection of children during war. Neither did the Fourth Hague Convention (1907). The first indications of the international community's interest in protecting children in times of armed conflict date back to 1949 and may be seen in the General Assembly's proclamation on the protection of particular protection for children in the Convention on Women and Children of 1974. (Red Cross International Committee, 2012).

International humanitarian law forbids any kind of aggression toward civilians and requires all parties to a conflict to take reasonable precautions to shield people from the effects of hostilities.

2.2. Protection of Children in Armed Conflict and from the Effects of Fighting

Only in the Geneva Conventions of 1949 did the child get protection as a member of the civilian population. Nevertheless, the Fourth Geneva Convention on the Protection of Civilians did not include this provision, and the two Additional Protocols of 1977 were required to implement it fully. There are a quarter of a million children serving in regular or rebel armed forces, according to research published at the turn of the millennium; research also found that children under the age of 18 are participating in 33 conflicts, and that children under the age of fifteen are participating in 13 conflicts. Children cannot effectively combat the deteriorating social conditions, natural disasters, armed conflicts, exploitation, illiteracy, hunger, and fragmentation threatening many parts of the world. As a result, the international community has urged governments to enact legislation that recognizes the special status of children and their special needs and creates a framework of additional protection conducive to the development of healthy, happy, and successful children (Shaheed, 2018, p. 25).

When hostilities break out, children may be in the line of fire. Therefore, it is important to implement any laws that aim to keep them safe from harm. Conflict may have far-reaching consequences, such as the destruction or preservation of weapons and other artifacts of conflict. The effects of conflict on children are indirect, like those of landmines, which can trap their victims for a long time. When schools and hospitals close due to hostilities, it stunts children's development.

One of the greatest accomplishments of international humanitarian law is the development of laws to safeguard the populace from the effects of conflict. For their own safety as non-combatant civilians, children must follow the guidelines outlined in the first protocol's chapter on civilian protection from 1977. (Summerfield et al., 1998, p. 1249). To the extent that they are considered civilians, children are entitled to the protections outlined in the Fourth Geneva Convention and Protocol I. In cases of internal armed conflict, they must likewise abide by the protections and safeguards for civilians outlined in Common Article 3 and Protocol II. Strongly supporting the notion of specific protection enshrined in these documents, Article (38) of the Convention on the Rights of the Child

Article 1 of the 1989 Convention on the Rights of the Child defines a child as any human being under the age of eighteen, unless that person has reached adulthood under the legislation applicable to him before then. Every person under the age of eighteen is considered a child according to Article 2 of the African Charter on the Rights and Welfare of the Child, which was adopted in 1990. The Convention on the Rights of the Child, which increased the age at which childhood ends to ten years, has been supported by this line of reasoning because it provides greater protection for children of all ages. It is also because the convention, in other provisions, recognizes for children up to the age of eighteen a number of rights and freedoms appropriate to their developmental stages.

Adolescents, the years between the onset of puberty and the age of majority, are particularly vulnerable to violations of their rights, including freedom of expression and assembly, as well as the right to be free from exploitation. The Fourth Geneva Convention on the Protection of Civilian Persons in Time of War, which applies during international armed conflicts, guarantees children humane treatment as protected persons, including the commitment to life, physical integrity, and freedom from coercion. Torture, coercion, corporal punishment, collective punishment, and acts of retribution are all outlawed by the agreement as well. Children's rights under Article 3 of the four treaties guarantee children the right to be treated humanely in the event of a non-international armed conflict as long as they do not take part in the hostilities themselves (Yule et al., 2004, p. 217).

Whereas certain guidelines have been formed to safeguard children from the dangers of armed violence abroad (Olusegun & Ogunfolu, 2019, p. 33):

First: Distinguishing between combatants and non-combatants.

Second: The prohibition of attacking the civilian population and objects.

Third: Take the necessary precautions to avoid the civilian population during the attack.

All parties must at least adhere to the minimum standards set forth in this article. It contains rules as specified by the International Court of Justice and is a key reference for safeguarding victims of non-international armed conflicts. People trapped in the middle of a raging civil war are afforded greater protection thanks to international humanitarian law's emphasis on universal humanitarian standards. The parties to a war are required to differentiate between civilians and combatants, as well as between civilian objects and military objectives, in accordance with Article 48 of Additional Protocol I. Therefore, it restricts its attacks to military objectives to ensure the safety of civilians and their property. The kid, as a civilian, is entitled to the broad protections outlined in the preceding article. Article 51 of the First Protocol of 1977 required the following to be implemented in order to provide children with general protection as members of the civilian population (Aptel, 2019, p. 15).

1- In addition to other applicable international agreements, the following rules must always be obeyed to ensure the safety of civilian populations and individuals from the risks posed by military operations.

2- Neither civilians as a whole nor any particular citizen will be targeted for attack. Threats or actual acts of violence against civilian populations are strictly forbidden.

3- Except for when they are performing their official duties as a civilian, everyone is entitled to the protection of this provision.

4- No indiscriminate strikes are allowed;

5- Among other examples, the following are examples of indiscriminate attacks (Wessells, 1998, p. 635) because they involve the targeting of civilians or

civilian areas, or the use of civilian populations or infrastructure for military purposes, in a way that does not distinguish between civilians and combatants:

A) The bombardment of a city, town, hamlet, or other location that contains a concentration of civilians or civilian items, regardless of the techniques or means used to carry out the attack as a single military objective.

B) An attack where the loss of life, injury, or damage to civilian property, or a combination thereof, is expected to be greater than the projected direct and demonstrable military benefit of the action.

C) Attacks with the intent to deter, especially against civilians or civilian targets, are forbidden.

D) Invoking civilian population or civilian personnel or their movements to defend specific places or areas from military operations is prohibited, especially to deter attacks on military objectives or to provide cover for, facilitate, or impede military operations. Parties to a conflict are not allowed to manipulate the movement of civilians or other individuals to shield military targets or conduct covert operations.

E) Even if a party to a conflict violates these restrictions, and does not release them from their legal responsibilities to the civilian population and civilians, such as the duty to take the preventive measures outlined in Article 57.

There has been a dramatic rise in recent years in the focus on the protection of children, who are among the defenseless victims of armed conflict or its aftermath. Much of this new interest arose from the media coverage of the events in Southeast Asia and the mass media's interest in these events.

Indeed, children are among those most in need of special protection. There are two main reasons for this need. The first is that this group is one of the most vulnerable groups and is subject to temptation, deception, and exploitation, especially if children feel that they can do something useful, even if this thing is their actual participation in fighting, so we can easily notice the increased chances of children being involved in armed conflicts. As for the second factor that necessitates the granting of special protection to children as a distinct class of protected persons,

it is that this category has gradually formed the most affected group among the victims of armed conflicts. This is also because of the proliferation of armed conflicts and the development of the means of war used in them and the impact of their incalculable consequences on them. However, the children themselves shouted for part of the war machine that no longer provided any of them (Kostelny & Wessells, 2008, p. 13).

Civilians, especially children, suffer disproportionately from the effects of war's weapons a well-known truth. These massively deadly new weapons cannot tell the difference between military and civilian targets. Accordingly, they are used on both. Hence, the global community was prompted to act.

The International Committee of the Red Cross made efforts in this field that ultimately led to the adoption of the Fourth Geneva Convention of 1949 relating to the protection of civilian populations in time of war, which included specific protections for children. This was a direct result of the lessons learned during World War II, which revealed the urgent need to draft a document within the framework of general international law for the protection of the civilian population in times of war.

Since then, children have had the right to profit from this convention's implementation because they are considered part of the civilian population. However, these provisions were insufficient to provide robust and effective protection for children during armed conflict. Therefore, international efforts tended to approve new legal rules to provide full protection for children until these efforts culminated in the adoption of the two additional protocols in 1977 (Maslen, 1996, p. 329).

A. The General Principle of Special Protection in Children (Special Care)

One report estimates that 152 million children reside in areas where conflicts are occurring and over one-third of these conflicts involve sexual violence against children. Despite this, only 37 out of the total number of states have laws in place to protect children in armed conflicts. Many states where such laws exist, children are often not adequately protected (Balarabe, 2022, p. 185).

Even in times of non-international conflict, Protocol II's Article 4, paragraph 3, ensures children are cared for and assisted as necessary. Then, this post is here to

help you get ready for any child-related emergency. The wording of Article 4 shows how seriously its authors took the issue of children's safety in domestic armed conflicts. It guarantees the continued growth and establishment of the notion of children's special protection during these conflicts. Article 8, paragraph A of the first protocol states that babies and pregnant women are to be included in the same category as wounded and sick people who require protection. Orphaned or separated children under the age of fifteen who are in need of care because war should not be allowed to fend for themselves in terms of food, clothing, religious practice, or schooling.

B. Relief for Children

Article 23 of the Fourth Convention of 1949 specifies that the succeeding High Parties must allow the unfettered passage of all shipments of medicine, medical supplies, and materials of worship. Exclusively to the citizens of the opposing party, even if they are in the middle of a battle, and he must also allow the safe passage of any supplies sent for infants, children, and mothers who have recently given birth (Poulatova, 2013, p. 1).

If parties are not given the adequate time specified in Article 69, relief actions of a civilian-neutral character, without discriminating against the civilian population, will be carried out in territory under the control of a party to the conflict other than the occupied areas. Any assistance offered that meets the above criteria would not be regarded as an act of hostility or interference in an armed conflict. Children, first-loaders, pregnant women, and nursing mothers are given preference in the distribution of relief supplies in conformity with the Fourth Geneva Convention and this Protocol (Yule et al., 2004, p. 217).

Arresting parties in an armed conflict have an obligation to provide for protected persons without cost. This includes giving any necessary medical care. Inmates' wages, salaries, or benefits are not garnished in any way to cover these costs. If an internee's dependents are without adequate means of subsistence or are unable to work, the detaining power is obligated to provide for them.

C. Reuniting Children with Their Families

International humanitarian law recognizes the importance of the family and seeks to preserve the family unit during conflicts. The most severe forms of suffering caused by wars and which a person lives in the depths of his heart begin when members of the same family are subjected to separation, raising doubts about the fate of family members who have been separated by the war, especially children who have been separated from their families (Lee-Koo, 2019, p. 51).

The operations of the High Contracting Parties, the parties to the conflict, and international humanitarian organizations named in the agreements and in this addendum ("the Protocol") are driven primarily by the right of every family to know the fate of its members. Regardless of any personal liability that may arise, the conflicting party whose hands protect individuals is on the hook for how they are treated by his agents (Nagle, 2011, p. 1).

Every effort should be made to house the family together in a single location in the case of an arrest, detention, or detention. Consideration has been given to protecting family ties when temporarily evacuating children. Such evacuation is subject to severe circumstances; it needs the approval of parents, legal guardians, or those principally responsible by law or tradition for the care of these children. There also has to be a concerted effort to track down the kids that were evacuated. All reasonable measures should be used to help reunite families split apart by internal armed conflicts.

Procedures for temporarily evacuating children from the region of hostilities to a safer area within al-Baladiyah, with the permission of the parents wherever feasible; or with the permission of the personnel principally responsible for their care, legally or traditionally. Persons under the age of eighteen at the time of the crime are exempt from the death penalty; pregnant women and mothers of young children are also exempt from execution; and reuniting youngsters with their families is essential for their safety. People living in the territory of a party to the war or in territory occupied by a party to the conflict are allowed to communicate with their loved ones living elsewhere in the world about matters of a strictly personal nature (Krill, 1992, p. 347).

The exchange of family correspondence by regular mail has been rendered difficult or impossible due to circumstances. This makes the parties to the conflict in question resort to a neutral intermediary, such as the central agency stipulated in Article 140, to determine with him the means to ensure the best implementation of its obligations; in particular, with the assistance of the National Societies of the Red Cross (or the Red Crescent or the Red Lion and Sun).

If the parties to the dispute decide it is essential to limit family communication, they may agree to adopt standard forms with a maximum of twenty-five words of their choosing. Additionally, the number of parcels may be calculated by adding one parcel every month.

To be guaranteed by the occupying power: working in tandem with state and municipal governments; efficient childcare and learning institutions. Nothing may be done to alter a child's personal status or to enroll them in formations or organizations associated with it without first ensuring that their identification has been verified and their lineage has been recorded. If local organizations are unable to provide for orphans, the occupying force has a responsibility to do so. Otherwise, if they have been separated from their parents due to the conflict, and they have no other relatives or friends who can take care of them, provided that, if feasible, mediation is provided by people of the same nationality, language, and affiliation. Any time a child's identification is questioned, the office set up under Article 136 has the duty to take all steps required to confirm their identity, including recording any information about their parents and other relatives (Jacob, 2015, p. 14).

Article 140 of the Fourth Convention mandates the establishment, in a neutral nation, of a central body for enquiring concerning protected individuals, including detainees. The International Refugee Agency is currently in charge of fielding all of these questions and gathering the aforementioned data from the official information office. It is critical in the effort to locate missing people. Each warring party is required under Article 129 of the Fourth Convention of 1949 to make it easier for family members who were separated during hostilities to find one another, make contact again, and perhaps be reunited.

In accordance with Article 50 of the Fourth Geneva Convention, the occupying power assures, with the help of national and local authorities, the smooth running of designated childcare and learning centers. They also take all steps required to ensure that children's identities and family trees are properly recorded; and refrain from enrolling children in any linked groups or changing their personal status in any manner. If the kid is evacuated per the first paragraph, every effort must be made to ensure that he receives an education consistent with his parents' values while he is abroad. This includes religious and moral instruction. If the evacuation plan included making identification cards with photos of each child, then the responsible parties would be the organizing party and the host nation. It should be sent to the International Committee of the Red Cross's Central Tracing Agency so that children who have been evacuated in line with this article can be reunited with their families and returned to their home countries (De Silva et al., 2001, p. 125).

D. Evacuating Children from Besieged or Encircled Areas

Protecting children from chameleons was a primary focus of the Fourth Geneva Convention, which addressed the subject of child evacuation during times of armed conflict. It required the warring factions to cooperate in setting up local protocols for evacuating the wounded, sick, infirm, and elderly, children, and pregnant women from areas under siege or encirclement. It also facilitates the movement of men of all faiths, medical personnel, and medical supplies to these areas (Gardam & Charlesworth, 2000, p. 148).

Except in the case of temporary evacuation for compelling reasons related to the child's health or medical treatment, or if his safety in an occupied territory requires it, no party to the conflict arranges for the evacuation of children other than his own to a foreign country without the written consent of their parents or guardians. A written authorization for such evacuation must be obtained from the individuals principally responsible by law or tradition for the care of these children, and the Protecting Power will supervise this evacuation if these persons cannot be located. All parties to the dispute will take; in each individual situation, in consultation with the parties concerned (the party planning the evacuation, the party hosting the

children, and the parties whose nationals are being evacuated). Every reasonable safety measure has been taken to ensure the parents' safe evacuation.

If the kid is evacuated in accordance with the first paragraph, his parents' desires for his education, including his religious and moral instruction, should be respected as far as practicable while he is abroad. The authorities of the party that organized the evacuation are responsible for facilitating the return of children who were evacuated in accordance with this article to their families and countries. Additionally, the authorities of the host country should — if appropriate — prepare a card for each child with a photograph and send it to the Central Tracing Agency of the International Committee of the Red Cross.

This technique has two main prerequisites, the first of which is that the child's health state is such as to justify its evacuation, in accordance with the guiding concept that evacuation should be the exception rather than the rule. The second criterion is that the child's parents or legal guardian give their permission for the evacuation, although that criterion is nullified if the parents or guardian are missing and the child is evacuated for reasons other than their own safety. When feasible, and in accordance with legal and customary obligations, take steps to temporarily transfer children from the area of hostilities to a safer region within al-Baladiyah, provided they are accompanied by those responsible for their safety and comfort.

E. Protecting Children from the Danger of Landmines

Landmines are a particularly egregious type of weapon used against civilians. Additionally, children continue to be killed, injured, or permanently disfigured by these mines even after the conclusion of the fight. Whereas, the warring parties' use of certain conventional weapons in war leads to the continuation of killing and injury even after the end of military operations, and it is one of the consequences of the war and its damage, which cause more casualties among innocent civilians, and international efforts have resulted (Shenoda et al., 2015, p. 309).

By agreeing to the terms of the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines, the world took a major step toward reducing the likelihood of future conflicts involving these weapons (1997 Ottawa Convention). Included in this gathering were:

1- Not under any circumstances, do the following:

(A) Use of anti-personnel mines.

(B) Creation or production of mines for individuals or their possession in any other way, or their storage, retention or transfer to any location.

(C) Assist, encourage or induce, in any way, activities prohibited to a State Party under this Agreement.

2- To destroy all anti-personnel mines or ensure their destruction in accordance with the provisions of this convention.

F. The Right of Children to Receive Medical and Health Care

Children are given priority during evacuations from besieged or encircled areas or areas where hostilities are taking place, and children are placed in hospitals and safety sites. Children are allowed to be evacuated to neutral countries temporarily for medical reasons (Somer, 2012, p. 106). Inmates in detention must be provided with daily food that is sufficient in quantity, quality, and diversity to disrupt the normal healthy balance and prevent nutritional deficits. Women who are pregnant or nursing, as well as children under the age of fifteen, get special dietary supplements.

G. Protecting the Nationality of the Child

Article 50 of the Fourth Geneva Convention stipulates that all necessary steps be taken to facilitate the identification of children and the registration of their forgotten persons.

H. Children's Rights in Education and Culture

Children who have lost one or both parents because of the conflict should be cared for and educated as well as possible by people who share their culture, language, and religion (Maxted, 2003, p. 51). Children and teenagers who are in detention should be permitted to attend school, either where they are being held or elsewhere.

- Humanitarian law, which seeks to preserve family integrity, is imbued with the child's cultural heritage.

- Children under the age of fifteen who have lost parents or been separated from them as a result of the conflict must not be neglected;

- The parties to the conflict must take the necessary measures to ensure that they receive adequate care, that they are able to practice their religion freely, and that they receive an education from people who share their cultural values, if possible. In the case that there are no fathers for these children, their mothers and other guardians should nonetheless provide them with a good education that includes moral and religious training.

I. Safe Areas during Conflict

he High Contracting Parties may establish hospitals, safety areas, and other sites during times of peace that are organized in such a way as to protect the wounded, sick, infirm, and poor, children under the age of fifteen, pregnant women, and mothers of children under the age of seven. The parties to the conflict may also establish such sites on their own territory or, if necessary, in occupied territories after the outbreak of hostilities.

J. Personal Rights of the Child

When a country is invaded in an international armed conflict, the occupying party may change neither the child's nationality nor his civil status. This is because it would be a violation of the Fourth Geneva Convention.

K. Children and the Death Penalty

Protected individuals who were under the age of eighteen at the time of the offense are never eligible for the death penalty. Persons who committed a crime during the armed war and were under the age of eighteen at the time of the offence are immune from the death sentence. Persons under the age of eighteen at the time of the crime are immune from the death penalty, as are women who are pregnant or have small children.

L. Special Protection for Children in International Conventions and Declarations

The protection and care of children impacted by armed conflict is a responsibility shared by all parties to the conflict, and states have a responsibility to fulfill this responsibility in line with their duties under international humanitarian law

to protect civilian populations. As stated in the 1993 Statute of the International Criminal Tribunal for the Former Yugoslavia. Forcible assimilation of children of one national, ethnic, racial, or religious group into another with the goal of eradicating that group as such, in whole or in part, is a kind of genocide, as defined by the fourth article (Wessells, 2017, p. 4).

Released in 1974, the General Assembly's Special Protection of Children and Women Report, among the many concepts outlined in this proclamation were:

1- We must put an end to assaults and bombs that target innocent civilians, especially women and children.

2- Inflicting significant losses and damage on civilians, especially helpless women and children, the use of chemical and biological weapons during armed conflict is a flagrant breach of the Geneva Protocol of 1925, the Geneva Conventions of 1949, and the norms of international humanitarian law. This needs to be criticized heavily.

3- All nations must ensure the safety of women and children in times of war. To do so is in accordance with its commitments to uphold human rights during times of armed conflict, as outlined in the Geneva Protocol of 1925, the Geneva Conventions of 1949, and other instruments of international law.

4- In armed conflicts and military operations in territories still under colonial control, states involved must do everything they can to protect children and women from the horrors of war, and they must take all necessary steps to ensure the prohibition of measures that could lead to persecution, torture, punitive measures, degrading treatment, and violence, especially against women and children.

5- Imprisonment, torture, and death by firing squad; "wholesale detention and collective punishment; destroying houses and forcefully evicting them; Committed by belligerents during war operations or in occupied territory; are all illegal crimes.

6- It is a violation of international law to deny women and children under a state of emergency or armed conflict, or those living in occupied territory, access to safe housing, adequate nutrition, medical care, and the enjoyment of other fundamental rights.

2.3. Prohibiting the Participation of Children in Armed Conflict

Despite the fact that child soldiers have been around since the end of World War II, international efforts to confront this issue did not define its features until the early 1970s of the last century, when the Fourth Geneva Convention of 1949 failed to address this issue anew (Haer, 2019, p. 74). With a growing number of youngsters being enlisted or choosing to take part in hostilities all over the world, the International Committee of the Red Cross is profoundly worried. These children suffer the gravest risks and the greatest physical and mental anguish of anybody involved in the conflict. Yet they are susceptible to persuasion and encouragement to engage in behavior they do not necessarily value.

In 1971, the International Committee of the Red Cross declared that the involvement of children and their participation in armed conflicts had become one of the most important problems relating to the rules of international humanitarian law as it directly affected children. This was in response to the growing number of children who had been drawn into armed conflicts since the beginning of the second half of the last century (Mazurana & Carlson, 2006, p. 1).

2.3.1. International Efforts to Prohibit the Participation of Children in Armed Conflict

It is not a novel concept to say that kids should not take part in war. This notion is not only the brainchild of Western thinkers; it has deep roots in Africa's long history of customary humanitarian law (Wessells, 2017, p. 4).

At the outset of armed conflicts, the rights of children have gained significant international attention since the United Nations Convention on the Rights of the Child was adopted in 1989 and ratified by nearly all governments worldwide. The International Committee of the Red Cross was invited to attend the session of the working group charged with drafting an optional protocol to the Convention on the Rights of the Child for the third time in a row, in its position as an expert in international humanitarian law. Pursuant to Article 38 of the Convention, it seeks to raise the current minimum age for recruitment, which is at fifteen.

2.3.1.1. The Geneva Conventions and the Protection of Children

Although children, as the future of mankind, require proper international protection, the Geneva Conventions of 1949 did not include a clause prohibiting the exploitation and endangering of their lives during conflict (McKay, 1998, p. 381).

For those under the age of eighteen, the occupying authority is prohibited from forcing them to labor. However, those beyond the age of eighteen may be forced to do so only if it is required to meet the requirements of the occupying army to help the people of the occupied country get access to necessities like food, housing, clothes, transportation, and medical care. Nothing in this protection clause may be used to coerce a protected person into taking any action that would force them to participate in hostilities. Occupying power cannot force protected individuals to use force to maintain the safety of facilities where they are obligated to conduct labor.

2.3.1.2. Protection of Children in the First Geneva Protocol

The first and second Geneva Protocols are proud to have established a comprehensive set of laws meant to safeguard children in times of war. He made specific reference to the Geneva I Protocol, which addresses the involvement of minors in international armed conflicts. Conflicting parties, however, should do all in their power to prevent youngsters under the age of fifteen from having direct involvement in hostilities. In particular, they should not enlist such young males in their armies. If both sides in a fight are recruiting people who are at least fifteen but not yet eighteen, the older ones should be given preference (Machel, 2001, p. 1).

The intent of the language in the second paragraph of Article 77 of the First Protocol is to support increasing the minimum age for recruitment of minors. A delegation argued that minors under the age of eighteen should not be recruited when debating this text and the majority of the group was against enlisting anyone less than fifteen. A compromise was reached wherein older recruits would be sought after in the event that those aged 15–18 were to be sought out for service.

2.3.1.3. Protection of Children in the Second Geneva Protocol

Article four, paragraph C of Additional Protocol II states that no child under the age of fifteen should be enlisted in an armed force or group, nor will he or she be permitted to take part in hostilities, in the case of a non-international armed conflict (Van Bueren, 1994, p. 809).

2.3.1.4. Protection of Children under the 1989 Convention on the Rights of the Child

Every effort should be made by the parties to prevent anybody under the age of fifteen from having direct involvement in hostilities. No State Party will enlist into its Armed Forces any person who has not reached the age of fifteen; when selecting recruits from among those who are at least fifteen years old but under eighteen years old, States Parties will make every effort to give preference to those who are older than eighteen are.

2.3.1.5. Protection of Children under the Optional Protocol

The Optional Protocol to the Convention on the Rights of the Child of 2000 on the participation of children under the age of 18 in armed conflict (Maxted, 2003, p. 51) provides the protection of children in situations of armed conflict.

- According to Article 1 of the Optional Protocol, parties must do all in their power to prevent service personnel under the age of eighteen from actively participating in hostilities.
- According to Article 2 of the Optional Protocol, States Parties are prohibited from enforcing the enlistment of anybody under the age of eighteen in the armed services.

Specifically, acknowledging the right of individuals under the age of eighteen to particular protection, governments should make the minimum age for volunteering in their armed services at least eighteen years old, up from the age established in the Convention on the Rights of the Child which maintains that:

A- The recruitment is a true volunteer.

B - To be done with the consent of the parents or legal guardians of the children.

C- That persons voluntarily conscripted receive full information about duties related to national military service.

D- That there is reliable evidence of the age.

No armed organization, even those affiliated with a state, is allowed to knowingly or intentionally enlist or employ anybody under the age of eighteen in hostilities. Each party state should take all lawful steps to avoid the recruitment and employment of child soldiers, including passing legislation to outlaw and punish such activities.

2.3.1.6. The Worst Forms of Child Labor Convention, 1999

Articles 1 and 3 of the convention require signatory nations to "take early and effective steps to secure the ban of the worst kinds of child labor and its eradication, including the forced or compulsory recruitment of minors for the purpose of using them in armed conflict" (Somer, 2012, p. 106).

2.3.1.7. The African Charter on the Rights and Welfare of the Child

According to Article 22 of the Charter, governments must take all necessary precautions to guarantee that no child under the age of 18 participates in hostilities or is enlisted in the military.

2.3.1.8. The Statute of the International Criminal Court

The recruitment of minors under the age of fifteen into the armed forces or armed organizations is specifically named as a war crime in Article 8. Alternatively, it is putting them to use in an active capacity in the conflict.

2.3.2. The Legal Status of Children Involved in Armed Conflict

Even though it is against the law for minors to be used in combat, several governments and armed organizations continue to break this ethical and legal standard. This painful truth justifies the extra regard accorded to captured or detained juvenile soldiers who are aware that they are in the enemy's clutches. Nevertheless, if they do such things or wish to take part, they need to get ready for it properly. In

addition, unlike civilians, minors who take part in an international armed conflict are considered combatants and, if captured, are granted prisoner of war status under the Third Geneva Convention (Nagle, 2011, p. 1). Under extraordinary circumstances, if a kid under the age of fifteen directly participates in hostilities on the side of the enemy, this Article guarantees that child's rights as a prisoner of war.

2.3.2.1. Child Combatants are Prisoners of War

Despite the fact that it is illegal under international humanitarian law for minors to take part in hostilities, there are states that violate this moral and legal standard. Since this is the case, captured or arrested child soldiers who are conscious that they are in the enemy's clutches are shown a higher level of respect than those who are unaware. However, they should be well prepared if they want to engage in such activities. Another important point is that, unlike civilians, minors who participate in an international armed conflict are considered combatants and, if captured, are granted prisoner of war status under the Third Geneva Convention (Nagle, 2011, p. 1). If a child under the age of fifteen is found to have directly engaged in hostilities, the enemy will be granted the protection of this article whether or not they are considered prisoners of war.

2.3.2.2. Detained Civilian Children

Regarding international law, the law of the country from which the no more than two-word-old youngsters participating in hostilities originates is the law that applies. If captured by the enemy, these children are entitled to special care under the Sanhma rule of the International Committee of the Red Cross (ICRC), and even if they are not prisoners of war, they need particular treatment as humans (Happold, 2010, p. 360). Children who are not considered fighters under international law and the legislation of the country to which they belong should be treated as protected civilians and should enjoy particular protection as follows (Shenoda et al., 2015, p. 309) if they are taken hostage by the enemy:

As much as possible, the detaining power must group internees together based on their shared nationality, language, and customs. The event unites relatives, especially parents and children, in one detention facility throughout the period of detention, except in cases where the needs of clients, health reasons, or the

application of the provisions contained in Chapter 9 of this section require their temporary separation. The detainees may request that the unaccompanied child be arrested without family care. The detainees of the same family will be gathered whenever possible in the same building. They will be allocated a place of residence separate from the rest of the detainees; they must be provided with the necessary facilities to lead a family life.

It is the duty of the detaining power to take all necessary and feasible measures to ensure that protected persons, from the outset of their detention, are housed in buildings or places that meet all health conditions and safety guarantees and provide effective protection from harsh weather and its effects. Article 49 of the Fourth Geneva Convention stipulates in its fifth paragraph that pregnant and lactating women and children under fifteen will be given additional food that is compatible with their bodies' needs. Article 94 of the Fourth Geneva Convention stipulates that the detaining power will guarantee the education of children and youth. They may attend schools, whether inside places of detention or outside, and places are designated for them so that they can practice sports and play outdoor games.

2.4. Protecting Children Involved in Armed Conflict in Arabic Countries

2.4.1. Protecting Children in Libya

The Libyan state has not been classified among the countries that have witnessed a decline in the child rights since its inception and the establishment of a constitution for it since 1951. The path in most of its laws and legislation goes in favor of the child, especially after it ratified the most important international agreements that constitute the rules of international law and the Convention of the rights of the child [xii]. However, the deteriorating situation at all levels that Libya has experienced during the past decades due to the failure of institutions to activate and develop laws related to the rights of the child and to deal flexibly with these texts, has influenced children’s rights in Libya day after day. This is especially after the division and armed conflicts that the country has been witnessing for seven years during which many serious issues have emerged violating the rights of the child, which is against the spirit of all those laws and agreements that Libya has ratified and signed (Almabrouk et al., 2021, p. 81).

The legislation on juveniles in Libya did not reach the hoped for achieving the best interest of the juvenile. Now of his arrest, the juvenile is still treated as an adult and put in a mixed detention room, and the police officer's treatment of him is the same as with adults and delinquents. All of them are now in prisons and detention centers in separate rooms despite the fact that the Social Solidarity Fund, which is under the supervision of the "interim government", in the city of Al-Bayda, received the juvenile building and promised to maintain it and re-accommodate the juveniles. However, juveniles are still imprisoned in Al-Kweifeh prison in Benghazi, as is the case in the "Juvenile Guidance and Education" house located in the city of Sousse, which is located 30 km northeast of the city of Al-Bayda. Some citizens at the beginning of the revolution in 2011 were exploited as housing, as the prosecution located in the administrative borders of the house from the town of Amsaed to the city of Al-Marj, east of Benghazi, faces a problem in the absence of a home for the detention of juveniles. This prompted the Al-Bayda Prosecution to allocate a room for juveniles in Garnada prison, where their number now ranges between 25 and 35 juveniles, all of whom live in one room inside the prison in the same adult housing building. In the capital, Tripoli, despite timid attempts by the Solidarity Fund to take over the headquarters of juveniles, they are still distributed in prisons in the center of the capital without allocating a place for them (Naik et al., 2015, p. 3).

In almost every detention center in Libya for illegal immigrants and asylum seekers, there are children and minors. Some of them are with their parents or one of them, and some are alone. The Libyan Coast Guard rescues unaccompanied children who are in groups of migrants entering Libya through the desert. They are received at disembarkation points supervised by international organizations, such as the International Organization for Migration and the United Nations High Commissioner for Refugees, where they are classified and urgent medical and humanitarian assistance is provided to them, and then, within hours, they are distributed to the immigration detention centers. The conditions of the children referred to these centers are not reassuring, as there is no privacy for them in terms of location and any health and psychological care for them.

Over the past years, especially when international organizations began working again on detention centers and providing aid at drop-off points,

recommendations and observations were received by them about the importance of separating children and paying attention to the unaccompanied child so that he would not be transferred to an unaccompanied center. Not all the detention centers of the irregular migration agency have a special place for minor children. Children from the age of nine are detained with adults, the dangers of their presence among adults are not hidden from anyone, and the conditions of detention for children remain in this situation despite the presence of organizations International, with high potential and presumably concerned with the best interests of the child (Ahmad et al., 2019, p. 47).

Children of forcibly displaced families who are unable to return to their cities of origin have lost their identity and are prevented from registering. The displaced from the south and the city of Benghazi, who are in the western region, suffer from crises and administrative obstacles that prevent them from registering their children's births because the civil registry requires them to return to their cities and document their procedures in their original cities. Many families whose marriage contracts were documented in other cities while the civil registry refused to grant them family status, which would allow them to register their children's births, and now, there are dozens of displaced children who only have "birth incident" hospital papers that prove that the mother gave birth to a child only. Although a civil status official in the capital, Tripoli, suggested that, the registration was not the result of a defect in the civil status system for the past period and that the capital and other offices receive and record all cases. Many families were still waiting for these promises until the time of writing this report (Al-Dayel et al., 2021, p. 13).

The problem of children in situations of armed conflict has received increasing attention in recent years and has been discussed in international conferences and forums such as the United Nations General Assembly, the Human Rights Council, and other conferences and workshops concerning Libya. Despite all efforts made to protect children in armed conflicts and to demobilize those involved in groups and militias, many minors are still involved, and children still constitute the majority of victims and the majority of internally displaced persons in Libya. Although there is no official report documenting the number of displaced children from the cities of Benghazi, Derna, Ajdabiya, Kufra and the rest of the southern cities, the crisis committees and NGOs working to help them speak of large numbers.

War is a painful ordeal for children, causing them separation from parents, family disintegration, loss, injury, and deprivation (Zarocostas, 2018, p. 824).

Amending legislation to meet the needs of children and minors is an urgent matter, especially with regard to the rehabilitation of specialized police who deal with juveniles while arresting and interrogating them. This will push towards eliminating many negatives in the application. It has become urgent to refer the file of children who have lost their bond and whose care homes refuse to receive them to legal authorities that oblige these homes to carry out their duties:

- The Ministry of Health should deal with the medical problems of the South as urgent cases that need institutional work that takes into account their humanitarian conditions, and
- The Ministry of Social Affairs should establish a system for counting the numbers and locations of displaced children inside and outside, and it will be the official and primary source for these statistics, on which programs and projects depend. Relying on the statistics of international organizations has become unacceptable.

2.4.2. Protecting Children in Syria

About 5 million children have been born in Syria since 2011, knowing nothing but war and conflict. In many parts of Syria, people continue to live in fear of violence, landmines, and explosive remnants of war. The crisis continues to leave a psychological scar on Syrian children. In the past year, a third of children in Syria showed signs of psychological distress, including anxiety, sadness, fatigue, or frequent sleep disturbances (Lassan, 2015, p. 5).

Children in shelters are terrified after the atrocities they witnessed. Families told us that the children were having nightmares and bed-wetting. It was a horrific experience for them, and it is clear that they desperately need protection and assistance. While UNICEF does not have exact figures on children with disabilities, it is clear that children with disabilities bear a double burden when it comes to violence, threats to their health and safety, hunger, risk of abuse, and missing education. The lack of mobility and difficulty escaping harm exacerbate the obstacles

they face. For their families, as for most families, limited job opportunities, high prices, unprecedented levels of poverty and acute shortages of basic goods and services make it difficult to obtain care for children with disabilities (Machel, 2016, 1275).

With the continued deterioration of the humanitarian and economic situations of the residents of the opposition-controlled areas in northwestern Syria, and the emergence of the psychological effects left by the years of war on children in particular, many humanitarian organizations and institutions began working on development projects aimed at protecting and assisting affected children. The high cost of living and the waves of high prices, coupled with the scarcity of job opportunities and the inability of heads of families to provide the minimum requirements for a decent living for their families, led to children dropping out of their schools and engaging in the labor market. They often practice difficult and dangerous professions for low wages, with the aim of helping their families and increasing the level of income (Solberg et al., 2020, p. 9).

Across Syria and in neighboring countries with an estimated 5.8 million children in need of assistance, UNICEF and its partners continue to work to protect children and help them deal with the effects of the conflict. This includes improving psychosocial support to help children and caregivers recover from trauma, as well as delivering life-saving support and services to children who are struggling physically and psychologically. UNICEF indicated that some major roads continued to be closed a week after the violence began, which led to the disruption of traffic and the delivery of essential supplies. It is on the ground, working with its partners to provide displaced children and their families with life-saving assistance, including clean water and essential hygiene items.

UNICEF said its volunteers helped people reach shelters and clinics, distributing food, blankets, mattresses, clothes, and medicine. They also distributed printed materials on the dangers of explosive ordnance to educate and keep boys and girls in shelters safe. UNICEF renewed its call on all parties in northeastern Syria to protect all children in northeastern Syria at all times. It urged all relevant countries to take urgent action and assume responsibility for the benefit of the children and to

return the children and their mothers to their countries of origin. It also renewed the call for the immediate release of children in the detention facility and for their access to emergency care and assistance without hindrance (Jambi et al., 2020, p. 3).

2.4.3. Protecting Children in Iraq

The Iraqi constitution of 2005 obligated the authorities of the state in Article 30 of it to provide the individual and the family, especially children and women, with health and social security and the basic requirements for living a free and dignified life. Accordingly, hopes were high that reality would change tangibly and radically towards improving the living reality of the individual and family, especially children. Therefore, the voices in support of passing laws that would transform constitutional dreams into a practical reality, represented by government programs and policies capable of facing the problems facing innocent children in Iraq and charting a decent future for the new generation after the years of totalitarian rule ensued, were raised (Solberg et al., 2020, p. 9).

However, reality says otherwise. Neither Parliament has taken the initiative to pass laws capable of achieving the foregoing, nor has the government-adopted programs that would restore hope to the children of Iraq, to lead a normal life away from the scenes they familiarize themselves with on a daily basis, which are summed up in suffering in everything. Children are exposed to more than others, to the complex government neglect, sometimes due to the deterioration of the service reality in general in Iraq, and sometimes due to the decline in the basic elements to ensure a free and dignified life for the child. They are also exposed to exploitation in all forms of this ugly phenomenon in times of peace and war alike (Jambi et al., 2020, p. 3).

The armed groups in Iraq were and continue to be revitalized. Its criminal acts involve the recruitment of children, or the majority of its victims are children when it commits acts of killing, forced displacement, and so on. In addition, it has become clear that the protection required for children does not have a legal dimension only but also has an economic, cultural, and social dimension, so it is necessary to shift towards serious work at all levels to save children in Iraq through:

1- Developing a sense of responsibility towards children: it is the duty of the Iraqi state with all its institutions and the Iraqi society with all its components and members to confront all manifestations of child abuse.

2- Enacting legislation that protects the child in Iraq, especially the Child Law that includes the necessary mechanisms to activate the constitutional and natural rights of the child in Iraq, foremost of which is providing protection from all dangers that threaten his life and providing social and health security in a way that protects juveniles from all risks.

3- Serious work to activate the laws in favor of the child such as:

- Care of Persons with Disabilities and Special Needs No. 38 of 2013

- Article 15 of an unspecified document or treaty appears to address the obligations of government authorities to provide certain needs for persons with disabilities and children. These obligations may include providing access to healthcare services, including preventive care, genetic counseling, and laboratory tests, as well as ensuring that children with disabilities receive an education and receive necessary immunizations. The article also mentions providing monthly aid to people with disabilities and special needs who are unable to work, and providing rehabilitative care for children with disabilities, either within their families or through alternative care arrangements. It is not clear from the information provided which specific document or treaty this article is part of.

4- Providing health insurance: The Iraqi government must adopt a real plan to provide adequate housing for all Iraqi families, especially those that embrace a group of children, by allocating free plots of land and obligating ministries and relevant authorities to provide the necessary facilities for construction or the establishment of residential complexes and to distribute them to Iraqis.

5- Providing social security: In compliance with Articles 29-30 of the Constitution, the Iraqi government should expand the social protection umbrella to include children, especially those with special needs, those who have lost their parents, or those who have been directly exposed to violence because of terrorist groups.

6- Developing a national strategy entitled "Child First" whereby the ministries and competent authorities are committed to working, each within the limits of their competence, to rid children of the negative consequences that have befallen them.

2.4.4. Protecting Children in Yemen

The war in Yemen has caused the deaths of many people directly or indirectly, according to the United Nations, meaning that they died either in bombing and fighting or because of the indirect repercussions of the war, such as hunger, disease, and lack of drinking water. According to United Nations data, "more than 10,200 children" have been killed or maimed in the war, and nearly 3,500 have been verified as recruited and used in Yemen since the beginning of the conflict, which recently entered its eighth year. More than 2,500 schools in the country have become unusable, according to the United Nations, as they have been destroyed, converted for military purposes, or used as shelters for the displaced. In addition to the aforementioned violation of the right to life of children, the latest report issued by the United Nations Children's Fund "UNICEF" reviews shocking figures on the situation of children in Yemen, as it refers to 1.71 million displaced children, 400,000 suffering from acute malnutrition, and two million out-of-school children (Sheikh et al., 2022, p. 12).

During the war, the legitimate government and the coalition captured large numbers of children who were given limited rehabilitation and then returned to their families through the International Red Cross. There are no follow-up and evaluation reports about these children, their schooling, and psychological rehabilitation from the cruelty of the war. It is not certain whether their families were helped to provide them with the minimum necessary living needs to ensure not being involved in the warfare. In addition, if they have survived and passed through it the first time, the chances of survival may not be available to them again (El Bcheraoui et al., 2018, p. 8).

It is worth noting that not all families agreed to involve their sons in hostilities, but they were taken by force. Families preferred to die of starvation rather than barter, providing them with a source of income for the heads of their sons. All

of these violations and more occur due to the lack of necessary means and protection mechanisms for children. The role of the Supreme Council for the Protection of Motherhood and Childhood, a governmental body affiliated with the Ministry of Social Affairs and Labor, is absent. Civil society organizations that were making some intangible efforts because they suffer from a lack of funding and human capabilities and the technical and logistical capabilities of the International Organization for Children ("UNICEF") are trying to provide the maximum it can to protect children, but as the saying goes, "the breach has expanded on the patch." consistent in its needs. UNICEF and its humanitarian partners have stepped up efforts to meet the enormous needs of children and families in Yemen - the world's largest humanitarian crisis. UNICEF and the World Bank are providing 1.5 million of the poorest families in the country with emergency cash assistance to help them get by and avoid extreme survival measures such as child labor, child marriage, or recruitment (Zulkarnain & Putri, 2020, p. 3).

3. PROTECTING THE RIGHTS OF WOMEN AND CHILDREN AT THE TIME OF ARMED CONFLICT

3.1. Addressing Violations of Economic Rights

Economic rights are of great importance in the international conventions concerned with human rights due to the role they play in human life in general and in the lives of women and children in particular. The state of peace, as it guarantees individuals a minimum means of survival in the event of war, and from this point of view, comes the importance of the economic rights of women in international conflicts due to the weakness of these groups that require intervention to impose more protection. It is understood that women's economic rights arose first in Western societies as a response to the injustice that women were subjected to under the yoke of men's domination and control of matters in various aspects of life. Voices calling for women's rights have risen based on the special nature of their physical and psychological composition and the industrial progress that has resulted in the difficulty of some jobs and the hardship that burdens women's arms (Gardam & Charlesworth, 2000, p. 148).

It also reinforced women's seizure of their economic and social rights, and the involvement of men in the battlefields of war, which resulted in the need for society to move to fill that void that resulted in the absence of men, which was only corrected by the help of women in various fields that were previously the preserve of men. Today, women represent about 70 percent of the world's 1.2 billion poor. Inequality in their enjoyment of economic, social, and cultural rights is a central fact in the lives of women in every region of the world. It is a fact that results from discrimination against women and their inferior status in patriarchal societies (Bhutta et al., 2021, p. 48). Throughout the world, women make a significant contribution to the economy and the labor market through their paid and unpaid work in both the public and private spheres. However, persistent inequality in economic, social, and cultural rights contributes to perpetuating the subordination of women and makes them more vulnerable, in particular, to violence, exploitation, and other forms of abuse. Enforcement of women's economic, social, and cultural rights can itself be

transformative, not only in terms of ensuring that women's immediate material needs are met, but also in terms of a radical reconfiguration of unequal gender power relations. In short, fulfilling women's economic, social, and cultural rights must be a priority strategy in dealing with and addressing the social inequality that women suffer.

Economic rights are given special attention in most international agreements and conventions due to their impact on human life in general and on the lives of women and children in particular. Economic rights are what enable people to find decent livelihoods and lead them to progress in a state of peace, respect, and dignity, as well as to live safely in a state of conflict and war. Because of the soft and vulnerable nature of these groups, the subject of the study was concerned with the economic rights given to women and children in international conflicts. Thus, it is easy to violate their economic rights and values by exploiting them at work and thereby violating their dignity and their safe way of living a decent life (Bennoune, 2006, p. 363).

3.1.1. The Economic Rights for Women in Times of Armed Conflict

Women's rights have never been more crucial in international law. Where the emphasis was on organizing international relations without regard to individuals and without regard to deciding their fate and determining the rights granted to them and the duties that they should carry out. The justification for this is that these are matters of state internal affairs that do not need to be raised at the international level. The Magna Carta Libertatum, issued in England in 1215, is widely regarded as the first popular claim for human rights. The principles of the Petition of Rights were also established in 1629 and the Bill of Rights was established in 1689, all on a small scale (Buchowska, 2016, p. 72).

All countries around the world have ratified declarations, conventions, and treaties on human rights, which include the recognition of political, social, economic, and other human rights. The French Revolution (1789–1799) marked the beginning of efforts to eliminate violence against women, and it is one of the most significant events that affected human rights in general and women's rights in particular. One of the most important principles advocated by this revolution is that a woman is born

free and has equal rights to men in all aspects. The human rights, economic, social, and cultural rights adopted by the General Assembly in 1966 entered the realm of human rights (Gardam & Jarvis, 2001, p. 2).

Thus, women's participation in economic life has become a recognized necessity, particularly during times of armed conflict, when men assume the responsibility of defending their homeland, whether within their borders or outside it. Most of the time, women provide for children or the elderly. As a result, international conventions have recognized one of women's rights, namely the right to participate in economic life, where numerous mechanisms have been established to ensure and facilitate this right. Primarily, we shall address the definition of women's economic rights.

Armed Conflicts: Although International Humanitarian Law (IHL) has not established a specific definition of armed conflicts, however, it can be described as both a fact and a legal issue. Accordingly, the United Nations has prohibited the use of armed force in interstate relations since 1945, with the exception of cases of self-defense or aggression. In summary, armed conflicts are defined as the use of weapons and violence to settle disputes, whether they are internal conflicts within a state (civil wars or acts of violence, terrorism, and societal intimidation) or international conflicts represented by two or more states confronting each other with weapons or military occupation operations. International laws and treaties, on the other hand, are obligated to establish specific rules aimed at protecting women's economic rights in the event of international and non-international armed conflicts (Machel, 2001, p. 1). Human rights conventions, the International Labor Organization, and the World Health Organization establish international human rights standards that maintain and protect women’s right to equality, as well as their actual economic, social, and cultural rights. In addition, the reports of the various special rapporteurs of the Human Rights Council, such as the Special Rapporteur on the realization of the right to adequate housing and the Special Rapporteur on health, all help in setting new standards in this field. However, the two leading standards-setting bodies in the field of women's economic, social, and cultural rights remain the United Nations Committee on the Elimination of All Forms of Discrimination

against Women and the United Nations Committee on Economic, Social, and Cultural Rights (Gardam, 1997, p. 55).

The Committees are of the view that true gender equality entails the interpretation and enforcement of rights in a manner that ensures the equal exercise and enjoyment by women of their rights. However, women's real enjoyment of equal rights cannot be achieved by simply passing laws or declaring gender-neutral policies. This is because gender-neutral laws and policies may perpetuate gender inequality and disregard the historical discrimination that has led to economic and social injustice against women, and therefore most of what these policies and laws may lead to may be merely maintaining the status quo. Equality in the law does not, by itself, guarantee equality in practice or on the ground. Equality on the ground, or real equality, requires that rights be translated, and that policies and programs through which rights are enforced - are designed in areas that take into account the socially constructed injustices of women. The appropriateness of the approach taken in enforcing rights must be evaluated against the current conditions of women, as well as against the impact of policies, laws, and practices (Lindsey, 2005, p. 21).

Standards under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) recalls that discrimination against women violates the principles of equal rights and respect for human dignity. This is an obstacle to women's equal participation with men in the political, social, economic, and cultural life of their country; impedes the growth of the prosperity of society and family; and makes the full development of women’s potential in the service of their country and humanity more difficult. The Convention deals comprehensively with civil and political rights as well as economic, social, and cultural rights, and recognizes that the enjoyment of each of these rights is inextricably linked to the enjoyment of other rights. The Convention considers that discrimination in one area of life against women can lead to and perpetuate discrimination in other areas.

Article 5 of the Convention stipulates the need to eliminate customs related to gender roles to ensure that women can access and enjoy all their rights, including

economic, social, and cultural rights. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is based on the principle that the state is obligated to eliminate all forms of discrimination against women without responding appropriately in this regard. That agreement also stipulates specific standards with regard to gender equality in the areas of education, employment, health care, and other areas of economic and social life (Buchowska, 2016, p. 72).

The Committee on the Convention, through its concluding observations and general recommendations, has made important strides in providing practical guidance and linking economic, social, and cultural rights on the one hand with women's right to equality on the other. In its concluding observations, for example, the Committee has been issuing recommendations to the concerned state regarding its obligations in order to ensure that discriminatory attitudes, behaviors, and beliefs at the social and cultural levels are modified. They recognized the role they play in perpetuating discrimination against women and inequality between men and women in all aspects of life, including their enjoyment of their economic, social, and cultural rights. The Committee recognizes, for example, the relationship between the discrimination women faces in the private sphere (including early or forced marriage, and traditional roles for men and women) and lower levels of education among girls, as well as the impact of this situation on women's later life economic opportunities. The Committee also recommends that States parties address cultural and social norms and customs relating to the traditional roles of men and women, which impede women's ability to choose freely their occupation or to work free from discrimination. The Convention also explicitly recognizes motherhood as a social responsibility that must be recognized and valued if women's equality is to be achieved (Article 5, b) (Lindsey, 2000, p. 561).

3.1.2. The Economic Rights for Children in Times of Armed Conflict

By helping to reduce the harm caused by armed conflict, the International Committee is able to advocate for the protection of children's rights and the dignity of all people. Although the Committee is committed to helping all victims of wars, both international and non-international, it recognizes that children affected by

violence have special needs that must be addressed. During times of war, children are often torn from their homes (Nagle, 2011, p. 27).

The Committee conducts cross-border searches for families. When a child is separated from his family, the Committee registers a request from him or his guardian and attempts to locate members of his family in order to re-establish contact, and the Committee organizes a reunion attempt for the family. From 2003 to 2006, the Committee was able to reunite 6,237 families, and 775 children were returned to their parents in 2006, which greatly contributed to the preservation of children's economic rights and ensured that those who care for them and their upbringing.

Children associated with armed forces or groups: The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict stipulates in Article (1) that "States Parties will take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities." Article (2) of the same protocol stipulates, "States Parties will ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces."

Since the issue of child recruitment is of great concern to the world and its impact, particularly to the Committee, child recruitment is avoided through one of two options. The first is through the promotion of standards defined within clear legal frameworks, and the second is through our field operations, which ensure that children are not exploited in illegal and unauthorized work, as well as the exploitation and use of children for illegal personal gain (Jacob, 2015, p. 14). Restricting the freedom of children: prisons and jails are not safe places for children, and the High Committee regularly checks in on those who have been imprisoned, including minors and minors caught up in violent conflicts both abroad and at home. Detention facilities are making an effort to cater to the unique requirements of incarcerated youngsters.

Young victims of war are afforded additional legal protection. The four Geneva Conventions (1949) and their Additional Protocols provide special protection for children in times of armed conflict (1977). In reality, we reaffirm that children

are entitled to dual protection under international humanitarian law as protection as civilians or as individuals who are no longer taking part in hostilities, and protection as children. More than 25 articles in the four Geneva Conventions and their Additional Protocols address children directly. These articles outline rules for punishments meted out to children, such as the death penalty, the provision of food, healthcare, and education in areas of armed conflict, detention, separation from families, and participation in hostilities. The rights guaranteed to children under the Convention on the Rights of the Child are globally accepted and applicable even in times of war (Shenoda et al., 2015, p. 309).

Taking into account the unique circumstances of children who, because of their socioeconomic status or gender, are at a heightened risk of being forced into child soldiers or other forms of exploitation in breach of this Protocol. It is firm in its belief that the international community must work together to ensure that the provisions of this Protocol are fully implemented and that all children who have been affected by armed conflict receive the care they need to recover physically and emotionally and return to society. Accordingly, we emphasize the protection of the child's economic rights, which, if available, ensures that children will not participate in hostilities or wars, join armed groups, or engage in work that causes injury and physical and psychological weakness.

We can clarify children's economic rights during armed conflicts as follows (Somer, 2012, p. 106):

- Right to Foster Care
- Right to Care
- Right to Provide for Special Needs
- Not Exploiting Children at Work
- Prohibiting Forced Labour of Children

Applauding the June 1999 unanimous adoption of Convention (No. 182) on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour by the International Labor Organization, which prohibits, among other things, the forced or compulsory recruitment of children for use in armed conflict.

As a result, the Assembly, after taking into account the advice of the Economic and Social Council as expressed in its decision 1861 (LVI) of May 16, 1974, adopted the amendment voicing its grave concern for the plight of civilians, especially women and children, caught in a variety of crises. In times of emergency and armed conflict, when people are fighting for peace, self-determination, national freedom, and independence, the victims of cruel crimes suffer terrible suffering. Conscious of the plight of women and children across the world, particularly those who have been victims of oppression, violence, colonialism, racism, alien dominance, and foreign subjection. Disturbed that colonialism, racism, and foreign dominance persist in oppressing many peoples, stifling national liberation movements, and inflicting heavy losses and incalculable sufferings on the populations under their dominance, especially women and children, despite widespread and unambiguous condemnation of these practices.

Noting with dismay that colonial and racial foreign control powers continue to breach international humanitarian law and commit severe assaults on fundamental freedoms and the dignity of the human person. Regarding the protection of women and children in times of peace and conflict, we recall the pertinent requirements included in the instruments of international humanitarian law. In this regard, the Assembly recalls the Economic and Social Council resolution 1515 (XLVIII) of May 28, 1970, in which the Council requested the General Assembly to consider the possibility of drafting a declaration on the protection of civilian populations in armed conflicts.

They are aware of the crucial role women play in shaping the future of our society, families, and children, and are eager to do their bit to ensure their success. Keeping in mind the importance of giving the civilian population's women and children extra security. It thus declares and urges upon all Member States to observe this Declaration on the Protection of Women and Children in Times of Emergency and Armed Conflict strictly (Cook & Wall, 2011, p. 12):

1. Bombings and other attacks on civilians, especially women and children, who are already at a disadvantage, should be strictly forbidden and strongly denounced for the immense misery they cause.

2. Inflicting heavy losses on civilian populations, including armless women and children, the use of chemical and bacteriological weapons in the course of military operations is one of the most egregious violations of the Geneva Protocol of 1925, the Geneva Conventions of 1949, and the principles of international humanitarian law and should be condemned harshly.
3. Important safeguards for the safety of women and children are provided by the Geneva Protocol of 1925 and the Geneva Conventions of 1949, as well as by other instruments of international law relating to the respect for human rights in armed situations.
4. States that are actively engaged in armed conflicts, military operations in foreign territories, or military activities in areas remaining under colonial dominion must make every effort to protect civilian women and children. In particular, women and children must not be subjected to persecution, torture, punitive measures, degrading treatment, or abuse of any kind. Efforts must be made to achieve this.
5. In the course of military operations or in occupied territories, it is illegal for belligerents to subject civilians to any form of repression or cruel and inhuman treatment, including incarceration, torture, shooting, mass arrests, collective punishment, destruction of dwellings, or forcible eviction.
6. According to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Inalienable Rights of the Child, women and children in emergency and armed conflict situations, or those living in occupied territories, should not be denied access to adequate housing, food, medical care, and other fundamental rights. These human rights instruments protect the rights of individuals, including women and children, in various situations, including emergencies, armed conflicts, and occupation.

3.2. Protecting the Rights of Refugee Children

The need to safeguard children is more pressing during times of crisis and armed conflict. However, during these periods, fundamental social services are significantly disrupted, and protective social mechanisms are weakened. Children

who are in need of protection from national child protection systems include refugees and other displaced children. As was said in the introduction, refugee children in the Arab area face a number of threats.

Therefore, it is necessary to take a holistic approach that is not limited to addressing a single protection risk but rather to find and promote an integrated system for child protection. The latter provides children with comprehensive protection, beginning with legislation, prevention, and response, enhancing human and financial capabilities and resources; strengthening the capacity of refugee and host communities; and implementing community-based child protection programs. In addition, the improvement of the child protection system has a twofold advantage, as it leads to the capacity development of the systems to better react to the needs of child refugees and to construct more sustainable systems for protection that ought to benefit all children.

Legislation and laws, information and data, coordination tools, available personnel and resources, preventative and responsive services, and advocacy and awareness are all components of child protection systems in refugee contexts. Local authorities, non-governmental organizations, and community-based institutions often share the burden of child protection with other levels of government. Increasing the effectiveness of cross-sector referral mechanisms is one way to achieve this cooperation. Focusing on political change, increasing institutional capacity, planning, allocating the appropriate funding, and establishing follow-up processes and information systems are all essential to improving protection systems (Al Rawi, 2011, p. 166).

Reconstruction efforts in the worst hit nations should prioritize restoring infrastructure, including schools, hospitals, entertainment venues, and civil registration offices, which provide birth certificates and other vital documents for children. To guarantee that refugee children are protected by the legal system, it is crucial to focus on the following:

The CRC places a premium on non-discrimination as one of its basic principles. The state must also ensure that minors in refugee situations are shielded from all types of prejudice. States are responsible for making sure children have

access to the services they need, and that means making sure the rights guaranteed to them under the CRC are respected and implemented in accordance with national legal systems and providing the resources, both financial and human, to make that happen. In accordance with the Convention on the Rights of the Child's non-discrimination mandate, all applicable laws and regulations pertaining to children's rights, benefits, services, and safeguards will clearly provide for the complete and equal eligibility of refugee and asylum-seeking children.

United Nations agencies like UNHCR and UNICEF, along with other partners like INGOs, are tasked with helping states meet their responsibilities under the CRC by helping them improve their legal and policy frameworks, bolster their prevention and response services, and provide supplementary services where necessary (Jansen, 2006, p. 134). As a second guiding concept, the CRC emphasizes doing what is in the child's best interest. The agreement requires that all decisions involving children be made with this notion of the child's best interests in mind. The best interests of the child are a substantive right, as stated in General Comment No. 14 to the CRC. It is a basic premise of legal interpretation that a kid has a right to have his or her best interests evaluated and given first attention if competing interests are at play. To the extent that there is more than one possible way to interpret a law requirement, the one that best serves the child's best interests should be selected. When either a choice is to be made that will have an impact on children, individually or as a group, this rule of process must be followed. In order to conclude on the matter at hand, it is necessary to consider the influence (good or negative) of the choice on the kid or children involved (Yule et al., 2004, p. 217).

It is the key factor (but not the only one) in all decisions affecting the child, whether undertaken by public or private care institutions, as well as courts, administrative and legal authorities, as stated in the CRC. This includes decisions regarding adoption or foster care, the separation of a child from its family against their will, and the reunification of the family. It is the obligation of the state to ensure that this principle is applied equally to all children without exception, and the Committee on the Rights of the Child has offered clear guidelines in this regard. It is particularly crucial when children are separated from their parents, such as in the assignment of a temporary guardian, alternative care solutions, custody, durable

solutions, etc.; it is of paramount importance to refugee children in all cases of children at risk, including violence, detention, and child marriage (Shakya, 2011, p. 57).

In light of General Comment 14 of the Committee, states should conduct a review of their national child protection systems to ensure more consistency with the principles and processes to assess children's best interests. For instance, courts should make decisions about children's care arrangements and custody based on a comprehensive consideration of the child's individual circumstances to determine what is in the child's best interest. This includes striking a balance between different aspects of the child's best interest and the rights of others (e.g., parental rights) (Chun & Skjelsbæk, 2010, p. 1).

A child, as defined by the Convention on the Rights of the Child, is someone under the age of eighteen who has not yet achieved the age of majority in the jurisdiction in which the law is being implemented. This aids in keeping refugee kids safe from things like forced marriage, dangerous types of child labor, incarceration, and enlistment in the military or terrorist organizations. In order to acquire the additional protections guaranteed to them under the CRC, it is crucial that refugee children have access to birth registration (Coomaraswamy, 2010, p. 35).

In 1992, a group of non-profits led a campaign demanding that this be leveled. Through prominent religious and legal professors, the King led a campaign in 2001 to modernize the Family Code and promote gender parity. After the Family Code amendment, civil society groups and reformist media relaunched their campaign to revise the nationality legislation, focusing on the law's negative implications, such as the increased risk of statelessness for children. The King led the effort in 2005, when changes were also made to the country's nationality legislation and Morocco's reservation to Article 9 of CEDAW was dropped.

Beginning in 2004, six Arab nations passed new laws ensuring that both mothers and fathers may pass on their citizenship to their offspring. Egypt, the Arab Republic of, was the first in this group in 2004; afterwards, Algeria, Iraq, Morocco, and Tunisia all made changes to their laws between 2005 and 2010, and Yemen followed suit in 2010. Article 9 of the CEDAW mandates that Member States

provide women the same rights as men to pass their nationality on to their children, and all these nations have now removed their objections to this provision. The appropriate UNHCR document is available for further reading (Olusegun & Ogunfolu, 2019, p. 33).

The National Council for Child Care, the National Commissioner for Refugees, the UNHCR office in Sudan, and a few consultants through the Committee of Care, are working to ensure that the children who were separated from their families because of seeking refuge in Sudan can reunite with their families in the countries of asylum. It has been noted that citizens of the Horn of Africa—including Eritrea, Ethiopia, Somalia, Djibouti, and South Sudan—make up the vast majority of asylum seekers in European nations, including Italy, the United Kingdom, and Switzerland.

The implementation of all relevant legislation concerning the rights of the child in a non-discriminatory, consistent manner, including ensuring that national laws are in line with the aforementioned international conventions on the rights of children in general and that refugee children have access to those rights without discrimination. With the intention of bolstering respect for all the rights specified in the Convention to the maximum extent feasible, without conflicting with the constitutional principles of the nation, the article of highest significance to the purposes of the CRC should be followed in the event of any disagreements (Maslen, 1996, p. 329).

Taking steps to ensure that national refugee laws, or new laws enacted in response to a refugee crisis, really help safeguard refugees. The appropriate legislation needs to set 18 as the minimum age for marriage for both sexes. Under no circumstances should a marriage be legally recognized unless it can be shown that both partners are of legal age and that the union is consensual for all parties involved and is in the best interests of any minor children involved.

In accordance with Article 7 of the CRC and Article 14 of the ICCPR, domestic legislation should make it clear that all births must be registered without delay or discrimination of any type. In addition, specific measures should be put in place to simplify and ease access to birth registration for children born out of

wedlock, children in distant locations, and children who need late birth registration in order to achieve universal birth registration in reality. In theory, registering a child's birth should not cost anything. Costs associated with registering a civil union should be reasonable, as determined by the national civil registration system:

-Protecting parents' ability to give their children citizenship by updating the law so that women have the same legal standing as men when doing so (with no contradictions to the laws and legislation of each country).

-Using the Convention on the Rights of the Child to establish a minimum age of criminal responsibility, guaranteeing that all children, including those living in refugee camps, receive the special treatment guaranteed by that document, and making juvenile detention a last resort for children in conflict with the law. In addition, families with minor children should never face detention or other negative consequences due to their immigration status, lack of residence, or lack of identification papers (Ayissi, 2002, p. 1).

-Assuring that the working age is in line with ILO Convention 138 on Minimum Age and that children are not denied their right to education; and

-Ensuring that the worst forms of child labor are identified within the national legal framework and that refugee children are protected from economic and sexual exploitation by ensuring that national laws are in harmony with Convention 182 on Worst Forms of Child Labor.

-Facilitating and simplifying the issuance of civil documents related to marriage, divorce, birth, among others, to allow refugee children access to services;

-Ensuring that all national laws, protection, and services for children at risk of or involved in child labor are non-punitive; and addressing the challenges faced by refugee children and their families, such as unfamiliarity with national processes, lack of relevance, and language barriers. Refugee status determination issues and a range of civil and criminal matters can be addressed with the assistance of legal counsel, which should be provided free of charge or at a reasonable cost to refugees (Poulatova, 2013, p. 1).

-Implementing national child protection laws and regulations into refugee response standard operating procedures (SOPs).

-Setting up informational workshops to educate refugee families on their rights and the steps needed to get civil papers.

-Embracing the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

Therefore, to play a solid coordinating role in the area of child protection, it is crucial to focus on the following issues (Aptel, 2019, p. 15):

-Incorporating the response to the refugee crisis into existing national coordination structures for the protection of children, and work to improve such institutions.

-Establishing child protection coordination procedures as part of the response to refugees, and make sure relevant government agencies and civil society partners are involved.

-Allowing concerned government bodies to coordinate aid for refugees effectively (Olusegun & Ogunfolu, 2019, p. 33); where there is a child protection subsector or protection sector to coordinate the refugee response to child protection issues, ensure that there is adequate information sharing and coordination between the various entities.

-Providing technical assistance to establish standards and mechanisms for government control of child protection services provided by civil society and governmental entities, as well as supporting coordination mechanisms between national governments and civil society organizations to protect refugee children.

3.2.1. Improvements in Human and Material Resources

Its personnel and financial resources measure a child protection system's effectiveness. Child protection service providers, whether state agencies or members of civil society employ them, are all in need of regular capacity assessments and skill development opportunities. There are two parts to improving refugee protection via national child protection systems (Yule et al., 2004, p. 217):

1.Improve the system's general ability to react to children, particularly refugee children. Capacity development for personnel, improved funding, better administration of child protection services, revisions to rules and procedures, changes in the kind and location of services, and so on are all examples of ways to boost service quality. The Egyptian Child Law mandates the establishment of committees at the governorate and locality levels to address child welfare issues, and funding and technical assistance provided as part of the refugee response may be used to bolster the overall capacity of the child protection system. The committees are made up of government officials from the departments of solidarity, education, health, and the interior. Children at risk of being subjected to violence, abuse, or neglect are identified and sent to the appropriate authorities by the committees. Partners have worked to ensure that these committees are addressing the needs of refugee children. Some of these measures include enhancing the committees' ability to deal with refugee concerns, expanding the scope of the committees' work to include refugee children's protection cases, and revising the committees' terms of reference to incorporate such work (Lindsey, 2005, p. 21).

Common community protection committees between police and the community of the neighborhood, village, or city working together on child protection from all expected violations are mandated by the Sudanese Child Law of 2010, which was passed in response to the widespread abuse of children in the country. The legislation also provides the authorities to send the offending minor and to implement the appropriate social monitoring procedures to reintegrate the juvenile offender back into society.

2.Increasing the system's ability to deal with refugee children's protection concerns. It is possible that national child protection systems require capacity building in order to respond effectively to the unique circumstances of refugee children, to understand the key child protection issues facing refugee children and formulate appropriate responses, such as how to mitigate the risks of child labor when parents are unable to work formally. It is possible that policies and procedures will need to be modified to be more accommodating to refugees, such as allowing mothers to retain custody of their children in the absence of a contactable father. To accommodate the larger number of children in need of protection in large-scale

refugee situations, more funding is required to expand existing programs and create new ones in cities hosting a high concentration of refugees. It may also be necessary to increase the size of police family protection units in these cities (Chinkin, 2014, p. 1).

The process described above aims to improve monitoring of the risks to which refugee children are exposed, as well as to enhance staff members' abilities to work with refugee children, to consider the children's perspectives when making decisions that affect them, and to design and implement interventions to counteract those risks. However, in order to guarantee that the child protection requirements of refugee children are met, it is necessary to integrate the idea of child protection throughout all the sectors overlapping with the protection system, such as health and education services, economic empowerment, and so on (Spangaro et al., 2013, p. 1).

However, the national child protection system should have access to enough funding to meet the requirements of refugee and displaced children. Therefore, the following priorities must be considered by the national child protection system in order to address the protection requirements of refugee children. International actors should commit to long-term funding and technical assistance plans to improve national child protection services, schools, hospitals, and refugee resettlement programs, all with the goal of protecting refugee children. They should also increase state funding for child protection services during refugee crises, including providing manageable funding to all relevant ministries and offer reliable funding to non-governmental organizations (NGOs) that work to safeguard children (Gardam, 2018, p. 35). Countries that take in a large number of refugees should do cost analyses to provide enough financing for the government agencies and civil society groups responsible for protecting children (CSOs).

To guarantee that the national child protection system can meet the safety requirements of refugee children, the following considerations should be given top priority in terms of human resources.

-creating transition and capacity development strategies to help strengthen national child protection actors' ability to offer essential child protection services, including case management.

-caseworkers in relevant government agencies and non-governmental organizations (NGOs) need to have their skills honed so that they can more effectively identify cases of vulnerable refugee children and see them through from start to finish, from creating an intervention plan to referring them to the right resources and keeping tabs on their progress until the file is closed.

-creating a coaching program for child protection caseworkers so that they can better assist at-risk children and their families.

-strengthening the abilities of state-level and non-governmental organization (NGO) child protection actors to recognize UASC cases, intervene quickly through family tracing, facilitate family reunification, when possible, provide suitable alternative care to refugee children while keeping their best interests in mind, and find long-term solutions (Bunga, 2017, p. 1);

-increasing law enforcement's ability to handle situations involving child refugees who are in confrontation with the law, child victims of crime, and child witnesses to crime in accordance with international best practices;

-improving border officials' abilities to keep refugee kids safe, implement kid-friendly policies, and reunite them with their families;

-expanding the judicial system's ability to hear cases involving refugee children, educating judges on alternatives to detention, and reserving detention as a last resort for refugee children who have broken the law, all while ensuring that no refugee children or their families are detained solely on the basis of their status as refugees (Van Bueren, 1994, p. 809).

To ensure that children are removed from the worst forms of child labor and rehabilitated through social and economic mechanisms, while avoiding punitive measures a number of procedures must be taken. It is necessary to strengthen the capacity of non-governmental organizations (NGOs), social workers, concerned ministries and their control bodies (such as the police), officials in charge of case awareness, and labor inspectors to control and monitor child labor cases.

3.2.2. Services for Both Preventing and Responding to Emergencies

One indicator of a national protection system's efficacy is the quality of services offered for child protection. By improving their quality, we can better guarantee that refugee children have access to the preventative and responsive services they need to keep them safe throughout their ordeals of travel, arrival in the host nation, and subsequent relocation to camps. A number of requirements are key to ensuring that refugee children have access to these essential services. The first criterion is whether national service providers provide the essential services for refugee children. This includes all types of preventative and response services, whether offered by the government or by civil society groups. It also refers to the availability of national child protection services in areas with high concentrations of refugees, as well as the amount of time and money spent on these efforts (Durham, 2002, p. 55).

The National Child Welfare Council has also formulated child protection indicators, which include the numbers of children who have been forcibly relocated, those who have voluntarily relocated, those who are refugees, those who are seeking asylum, those who are living with host families, and those who are attending camps or camp schools. The second evaluation criterion is whether particular subsets of refugee children encounter procedural or operational barriers that prevent them from receiving national child protection services (Durham, 2002, p. 55).

Affordability is the third important criterion that means that all children in the countries in question have access to child protection services at no cost or at a very low cost. There should not be hidden costs that might prevent any child from accessing these services within state territory, and that refugees are not required to pay any additional fees in order to use these services. Whether or not the fees or hidden expenses are too high for many refugee families is another point of discussion.

The fourth criteria considers whether or not refugees encounter unique difficulties in learning about existing child protection services and the applicable laws and regulations, as well as the extent to which refugee populations know and accept these services in terms of attitudes and language. Last but not least, quality is

an important criterion, which refers to how well child protection services at the national level meet international standards, such as those pertaining to the best interests of the child, and how well child protection actors have the knowledge and training to deliver high-quality services to refugee children (Haeri & Puechguirbal, 2010, p. 103).

At the preventative level, workers in the area of child protection must operate on several levels. Included in this are initiatives to educate the public about the dangers to which refugee children are vulnerable and the steps that may be taken by the refugee community as a whole to safeguard these kids. Highlighting and supporting beneficial habits, attitudes, and efforts, such as religious leaders' speaking out on the advantages of waiting until a girl reaches maturity before marrying, is an important part of this. Preventive measures are strengthened when children have access to safe places to study and play.

There has to be a system in place for accepting complaints and directing those who have already been helped to the appropriate resources, and the local community should be made aware of this. When one or both parents are forced to return to their country of origin, this would endanger the child and encourage family separation. In light of these factors, preventative measures should include formal services and protection, such as ensuring refugee children and families have access to international protection and respecting the principle of family unity, for instance by ensuring that border policies do not result in family separation and facilitate family reunification.

To keep refugee families from having to rely on harmful coping mechanisms like child labor or child marriage, it is equally important to provide them with access to secure employment. Services in the areas of health and education, as well as the ability to get the appropriate paperwork, should also be included (Wachala, 2012, p. 533).

As part of its attempts to improve its national institutions, the Jordanian government has opened a juvenile police station inside the Al Zaatari camp to guarantee that refugee children who come into confrontation with the law are dealt with in a manner that respects their humanity and complies with the CRC. A legal

court and a civil registry have been set up inside the community to ensure further the safety of the children residing in the camp.

UNICEF and the International Committee of the Red Cross (ICRC) have provided financial and technical assistance to Iraq's Ministry of Labor and Social Solidarity so that it may offer child protection services to refugee children in Iraqi Kurdistan. Included in these efforts was the construction of child protection units inside refugee and displaced persons camps to provide psychosocial and case management assistance. The Ministry of Labor, the United Nations High Commissioner for Refugees (UNHCR) and non-governmental organizations (NGOs) who provide case management services continue to examine the Ministry's role in handling child protection cases, particularly among refugees (Islam, 2017, p. 172).

By working with the Ministry of Social Affairs, the Ministry of Justice, and the Ministry of the Interior, UNICEF has helped develop the capacity of national service providers in Lebanon to handle cases involving abused and neglected children. The UNHCR and other international NGOs, with the support of UNICEF and the Ministry of Social Affairs, have developed guidelines for protecting refugee children and are working to incorporate these guidelines into national procedures.

Refugee children and their families need access to case management, education, health, legal and psychological assistance at the responder level. There ought to be social workers and/or caseworkers specializing in child safety embedded inside refugee communities. Workers in this field require extensive training and expertise in identifying the needs of refugee children, whether they are living with their families or apart from them, developing individualized plans to fulfill those needs, and following through on those plans. It is important to help refugee children, families, and communities keep an eye out for signs of abuse and report any they find to the proper authorities (Gardam, 2005, p. 109).

A few things absolutely have to be prioritized:

-Long-term planning (more than a year) to strengthen the capacity of government and non-government child protection services for prevention and response to cases of child refugee protection, as well as an evaluation of whether or

not services are provided at prices that are affordable for refugees, how well they are received, and how high-quality they are (Leatherman, 2007, p. 53).

-Increasing the availability of child protection services in high-population refugee hubs access to current response services, including health, legal and psychosocial support services, and educational possibilities, for refugee children, without discrimination. This also involves reaching out to communities, training and capacity development of employees on particular refugee concerns, and offering translation services where available in order to remove procedural or budgetary hurdles for refugee access to these services (Hutchinson et al., 2016, p. 45).

-Providing resources for refugee children

-Managing cases involving children's services, including determining what is in the kids' best interests as necessary (Hutchinson et al., 2016, p. 45)

-Settling the unique situations important to family law, such as custody and inheritance, and child-friendly legal and police processes when dealing with a kid being a victim or witness of a crime

-Helping specialized units and people with unique characteristics

-Providing safe and supportive education; child-friendly health care and forensic medical services for children’s survivors of trauma; family tracing and reunification services; legal representation when necessary.

-Ensuring alternative care based on family for unaccompanied/separate and other children targeted by the service; safe housing for children who have been victims of violence and others (Skjelsbæk, 2012, p. 154).

-Implementing refugee-specific requirements and processes, and adopting basic unifying standards and procedures for protection and preventative services inside care facilities and with regard to alternative care arrangements.

The United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund (UNICEF) partnered in Lebanon to create a Practical Guidance on Child Protection to help standardize the response to individual refugee child protection cases. They sought also to support the development of national

Standard Operating Procedures with the Ministry of Social Affairs and to integrate them into the national procedures (Jawad et al., 2021, p. 1).

In 2014 and 2015, Jordan modified its Standard Operating Procedures for child protection and sexual assault. The National Council for Family Affairs and the Jordan River Foundation, two national partners, have been tasked with providing training on these practices. Procedures in both Jordan and Lebanon demonstrated the value of involving the appropriate stakeholders and taking into account national policies and laws. In Jordan, the formation of committees consisting of various agencies to manage these processes has also proven to be important in ensuring national ownership of the process and its continuity (Muhammadamin & Baban, 2020, p. 69).

There is a proposal to revise the Standard Operating Procedures and provide training for the implementers in Egypt and Iraq. The Standard Operating Procedures on case management were established in Egypt in 2015 by the Child Protection Working Group to ensure that all stakeholders, including families and communities, are aware of their roles and responsibilities such as services of case management, follow up, protection access, education, health services, financial support, and specialized psychological support. In addition to using pre-existing protection mechanisms, such as child protection committees, the referral channels also prioritize identifying and addressing vulnerable children (Jawad et al., 2021, p. 1).

The Ministry of Social Development is primarily responsible for coordinating child protection programs throughout the 16 governorates of the West Bank and Gaza Strip. In addition, the Ministry has set up child protection networks throughout all of the governorates. Child protections networks help coordinate the efforts of various service providers (both government and non-government) in a given region. Reports of child abuse or neglect in places where UNRWA is active are handled according to UNRWA's own SGBV guidelines. Individual case committees for handling individual cases have been set up as part of the UNRWA's child and family protection program in the West Bank. A psychologist, social worker, member of the community council, and a qualified mentor for responding to child protection matters make up these committees (Farah, 2014, p. 161).

3.3. Women's Economic Position in the Arab Region

Increasing poverty, unemployment, and inequality were already problems plaguing the Arab area before the global economic crisis hit, and its effects were further exacerbated by the ongoing food, energy, and climate crises. These difficulties may be traced back to a misalignment between the economic growth models used by nations in the area and the development requirements of a specific country. While numerous Arab nations have benefited economically from increases in oil prices and migrant workers' remittances, progress toward social justice seems to have stalled. There is some disagreement on how the crisis has affected regional markets, but everyone has felt the effects of the multifaceted crisis in ways like rising food and energy costs. Moreover, the crisis has diminished expectations for the creation of new jobs and the elimination of poverty that many had hoped would follow the region's sustained period of economic expansion.

Protests occurred in 2008 in a number of Arab nations and continue to this day as a response to the growing economic and social pressures in the area, despite the fact that the governments of these countries, like many governments in developing countries, ignored the significance of the crisis. The 2010 and 2011 uprisings and demonstrations in countries including Tunisia, Egypt, Yemen, Bahrain, Jordan, Libya, and Syria reached new heights. The protests are a continuing response to the systemic violation of basic economic and social rights brought about by political dictatorship, widespread corruption, and a lack of accountability. No one can deny that the strains placed on the country as a whole due to the crisis have not helped matters (Aptel, 2019, p. 15).

At the heart of the development conundrum in the Arab area is the fact that women are unable to participate effectively in the economies of the region's many different types of economies because of the barriers they face on the social, political, and cultural fronts. Women in the area were already living in deteriorating circumstances and facing significant levels of isolation before the global crisis hit. Although there has been considerable improvement in human development indices and in decreasing gender inequalities in areas like education and health, this has not

translated into increased economic involvement and/or political representation (Chinkin, 2014, p. 1).

3.3.1. The Government's Approach to the Crisis

Women in Arab nations have felt the effects of the sequence of crises in different ways than males have. Increases in government spending and new subsidy programs were implemented in an effort by governments to restore calm. ILO experts have noted that there have been few policy responses to the crisis in the Arab area (Mohamadieh, 2012, p. 372). The ILO points out that it is impossible to draw broad conclusions about 22 Arab countries due to the lack of data and the diversity of the countries, and that it is also tough to differentiate between crisis reaction measures and those that were already planned.

All Gulf States (the United Arab Emirates, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait) loosened monetary policy and increased liquidity, while others went even farther by guaranteeing bank assets and infusing cash directly into banks (Joint Arab Economic Report 2010, p. 210). The financial sectors of middle-income nations were less affected than those of low and high-income countries, but they were hit harder in other areas, such as exports, remittances, jobs, FDI, and tourism. Private sector bank lending in Egypt and Jordan fell sharply in 2008 and 2009. (Joint Arab Economic Report 2010, p. 214). The fiscal and monetary fronts were addressed in several nations, such as Jordan, Lebanon, Syria, Tunisia, Egypt, Morocco, and Mauritania.

However, tax cuts were not implemented in a manner that prioritized industries that rely heavily on the creation of new jobs (Mohamadieh, 2012, p. 373). Jordan, Tunisia, and Morocco injected the money. These nations lowered interest rates with Egypt (Joint Arab Economic Report 2010, p. 217). By raising governmental expenditure, encouraging private sector investment, and subsidizing and supporting exports, Tunisia and Egypt implemented a suite of policies aimed at stimulating economic development. Public investment in infrastructure has grown in Jordan, Syria, and Morocco. A lack of gender-sensitive and women's rights-focused policies, as well as other social and rights-based concerns, already existed in policymaking processes, and this was exacerbated by the crisis.

3.3.2. Women's Social Discrimination in Arab Countries

The gender gap in the Arab world manifests itself in a variety of ways. The 2005 Arab Human Development Report (AHDR), titled "Towards the Rise of Women in the Arab World," identified gender inequality as a fundamental constraint to human development in the Arab region. According to the AHDR from 2005, gender norms were still the biggest reason women were less likely to have access to opportunities in education, leadership, and the economy (Spangaro et al., 2013, p. 1).

It is important to remember that the Arab world, like the rest of the world, is not a monolith, especially when considering the effects of the economic crisis on women. Women's political, economic, social, and cultural situations vary widely throughout the Arab world, proving that there is no one prototypical Arab woman. Because of broader issues with statistics collecting and development studies, it is more difficult to track and respond to the unique effects of crises on women in Arab nations. This is mainly due to the lack of gender-disaggregated data and concerns. Women in the Arab region have been stuck in a rut due to patriarchal practices and discriminatory domestic legal systems. Less space has been allotted for the development of policy solutions to crises that take into consideration the particular challenges faced by women.

Men and women alike are affected by the Arab region's pervasive problem with unemployment, which is a major economic and development concern. The Arab world already had the lowest female labor force participation rates in the world, and now they also have the highest female jobless.

Female labor force participation did not increase noticeably between 2000 and 2007, and neither did the number of unemployed women. The International Labor Organization reports that while the number of working women increased by 7.7 percent in 2008, they still make up 33.3% of the total labor force (Khalaf, 2001, p. 29). Unemployment is a significant issue for young women, particularly those under 25, in the region.

According to the International Labor Organization's 2010 Preliminary Estimate, the unemployment rate for women was at 16% that year, rising to 33% among young women. This is in contrast to the ten percent for the general population

and the twenty-five percent for the young (Mohamadieh, 2012, p. 374). In Egypt and Jordan, for instance, the jobless rate for young males is about 10 percent, but it is over 40 percent for young women. These causes contribute to the disproportionate number of women who lack economic independence and who face discrimination in social safety net programs (where social protections exist). Moreover, the figures usually exclude the access (or lack thereof) to jobs for female citizens in Arab nations. For example, Gulf countries like Qatar and the United Arab Emirates have seen an increase in employment owing to the migration of female employees from other countries, but this does not always reflect progress toward gender equality among the local population.

Increases in educational possibilities will only help a limited subset of the population. Because of the overall stagnation of the markets and the constrained capacity to produce jobs, women in the region have not been able to benefit from the improved access to education that has been acquired in other nations because of the overall stagnation of the markets and the crisis. Many women, especially young women, are quick to quit the job market or to take on unpaid duties in family companies, so it may appear like the unemployment rate for young women is reducing, but this is likely an illusion. The OECD between 1985 and 2006 studied women's labor supply in 66 developing nations, and it was shown to have a cyclical pattern diametrically opposed to men's (Mohamadieh, 2012, p. 374).

Women from low-income families are generally the first to enter the workforce during economic downturns. This has led to an increase in the number of women working in the informal sector or in hazardous industries despite their lack of education or training. However, highly educated women are more likely to stop working completely during economic downturns.

Over half of Arab women are unemployed, and most of those who are not in the agricultural sector. During 2008, non-farming occupations accounted for 41% of all female labor force participation worldwide. Compared to the prior year, this was a rise. United Nations Millennium Development Goals Review Report statistics from 2010 put that number far lower, at only 20% for MENA countries of women engaged in agriculture drastically increased, from 33% in 1996 to 39% in 2006 (World Bank,

2009). The crisis caused a decline in agricultural exports, which affected the economies of North African countries more broadly (Mohamadieh, 2012, p. 376). This puts a further strain on women's capacity to break out of poverty and obtain stable employment. When you look at the schooling, health care, and social security gaps, it is no surprise that women are overrepresented in these fields.

The crisis also lowered national budgets, making it harder for countries to invest in critical sectors like public health and education. Access to land and money is a major issue for women, and rural communities continue to get little financing. It is often assumed that the region's limited economic and financial resources will reduce women's ability to secure funding from the private sector. Women in the area may face more obstacles than men do when seeking to enroll in or transfer into occupations in historically male-dominated industries due to the aforementioned characteristics and the region's lack of economic diversity.

Disparities in education persist Economic elements such as work, money, and poverty are mirrored by social determinants such as education, health, access to political positions and policy-making circles, family engagement, and personal decision-making authority. One area where human development indices, especially primary school enrolment, have shown progress is education (World Bank 2010). In MENA countries, more girls than boys are enrolled in school. The success of certain Arab nations, however, far exceeds that of others. Gains in enrolment are only partially achieved, however, because of the shockingly low percentage at which female students complete high school. The rate at which girls abandon their education remains significantly higher than that of boys in practically every Middle Eastern and North African country. Consider the significant gaps in secondary and higher school enrollment between the sexes in both Morocco and Yemen. Dropout rates increase with increasing levels of education (Gardam, 2018, p. 35).

Recruitment is not assured for graduates even after completing a university degree (ILO, 2009, p. 1). This is of paramount importance, and the crisis has only made it so. Women in various Arab nations who have recently gained access to more and better education, as well as certain margins of acquired liberties and changes in public perception of women's role are now facing greater obstacles to entering the

labor market as a result of the crisis. Women from specific Arab countries who had been working as foreign workers in Gulf countries were often sent home because of a lack of available jobs for them. Many come from Arab countries like Lebanon, Egypt, and Jordan that have middle-class economies. In this kind of environment, chances to boast about educational progress and even little adjustments in public opinion have been stifled. Women in oil-producing Gulf States are often substantially less active economically than women in other Arab countries, despite remarkable progress on the educational front. All citizens receive considerable subsidies from the government in these countries. Therefore, the crisis has not had a major impact on the female population of these societies.

These gender disparities are reinforced by patriarchy, traditional religious approaches to law and civic life, and cultural stereotypes. For many Arab women, these traits serve as an insurmountable mental barrier to entering the public sphere as professionals (Sabbagh, 2005, p. 53). This amplifies and renders irrelevant any drawbacks associated with, for instance, market constraints to excellent employment. These outweigh the negative consequences of discriminatory laws, the failure to implement effectively non-discriminatory laws, and a lack of understanding and demand on the part of women. According to a government report on the Beijing Platform of Action+15's implementation:

Despite the legislative reforms implemented in many Arab countries, there is a prevailing gap between legislation and reality given the constant negative cultural traditions, stereotypical images of women and men, and unfair distribution of their tasks within the family, domestically, and beyond.

Women are in the vanguard of political, economic, and social movements for justice and equality. A previous state of political repression, lack of democracy, economic and social marginalization, high disparities, and rights violations in the Arab world has been aggravated by the global crisis. Many neoliberal models and formulae have been pushed and embraced in the Arab world, just as they have in many other developing nations. Common complaints about this system were corruption and the concentration of economic power (Samad and Mohamadieh, 2011, p. 113). Feminine experiences of economic, social, and political exclusion and

injustice within this context have been important to the region's development problems.

Women in the region endure a disproportionate burden because of social and cultural norms. The global economic downturn has made circumstances a lot worse. Overall, the demands on women's economic resources and the setbacks women have experienced in securing their economic rights have slowed progress on the fronts of political and civic rights. For women to break free of various forms of dependence and fully participate in society and politics, economic independence is vital. Opportunities for education and gainful work that uphold fundamental standards of human decency are cornerstones of economic independence. There is little doubt that this cycle has been hindered by the crisis. Policymakers in the Arab area failed to show any signs of preparedness to learn from past mistakes and include gender equality and other social and rights-based factors into their decision-making processes in the wake of the crisis (Jawad et al., 2021, p. 1).

After years of delayed but necessary reforms and the strain of the global economic crisis, the region was shaken by a series of popular uprisings and revolutions towards the end of 2010. Participants in many social and political networks, including non-governmental organizations (NGOs), women's groups, labor unions, alternative political parties, and individuals, were instrumental in this. They recommended reform strategies that would bring various parts of society closer together. The mobilization of these groups would not have been possible without the contributions of women. In various countries, including Tunisia, Egypt, Yemen, Bahrain, Libya, Syria, and Morocco, women played a significant role in organizing the protests and were not only a supporting force. Some women organized at the level of the business and labor unions; others brought their children to the marches; and yet others were at the heart of youth organizations that aggressively promoted the rallies via social media. Many different women's groups and other civil society organizations played important roles in the demonstrations (Muhammadamin & Baban, 2020, p. 69).

Despite the fact that the Arab world should have been looking for real change all through the global crisis, the time for it to happen is now. The uprisings in both

Tunisia and Egypt demonstrate the interwoven nature of politics, the economy, and society. These uprisings, along with the people's movements in other Arab nations including Libya, Yemen, Syria, and Bahrain, were triggered by economic and social isolation, and they quickly evolved into major mobilizations with political demands. Given this, going forward calls for a new economic and social model that prioritizes resident rights, combats exclusion head-on, and takes into consideration the region's growth issues. Similar considerations should be given to the promotion and defense of women's rights in the region. It is true that reconsidering the regional economic and development paradigms as a whole is essential to addressing women's economic participation. A structural shift in development policies and programs that puts a premium on women's empowerment is necessary if we are to succeed in our efforts to end poverty, provide new employment opportunities, and enhance educational outcomes (Islam, 2017, p. 172).

Throughout the current transition period, women's groups and other civil society organizations have been tasked with safeguarding the accomplishments won thus far and preventing a regression of the democratic change process. The onus is on them to keep up the pressure for more reforms. Women's rights groups in the Arab world have traditionally prioritized political and civil liberties over economic ones, but they now face the challenge of shifting from a reactive to an active role in public life, which necessitates the elaboration and promotion of alternatives on all fronts (political, social, and economic). Indeed, they did not critically examine the policy responses to the global crises or investigate the effects of international economic and development policies on their home country. To ensure that values such as fairness, non-discrimination, and equality are incorporated into current reforms, they play a significant role. Moreover, they need to surmount the challenge of making women's rights the central focus of all societal, cultural, economic, and political shifts (Jawad et al., 2021, p. 2).

4. INVESTIGATING THE CONCEPT OF INTERNATIONAL PROTECTION OF WOMEN AND CHILDREN IN ARMED CONFLICTS: LIBYA'S CASE STUDY

In this chapter, we described the methods, which have been employed in this study. It focuses on the sampling procedure, research design, hypotheses of the study, data collection techniques, and data analysis.

4.1. Previous Studies

Armed conflicts, both international and non-international, represent one of the most severe forms of reality in our world due to the displacement, torture, and killing that result at the individual level. In recent years, the phenomenon of attacking women and children has increased, by either targeting them or involving them in hostilities. Recent developments in martial arts and weapons technology that have included the battlefield and its spread across warring states and neighboring countries have increased the number of victims, especially women, who by virtue of their circumstances are subjected to death, mutilation, and various forms of sexual violence. Today's conflicts are mostly non-international, and in these cases, the parties ignore Conflict is often governed by the international rules governing conflict. These women are subjected to violence to become tools for them to be recruited or kidnapped to turn into soldiers. Moreover, the plight of women in international and non-international armed conflicts was so harmful and dangerous. It received a great deal of attention translated into the form of international conventions and protocols, some of which are old and belong to international humanitarian law. With the Fourth Geneva Convention at its forefront, and others of which are new and belong to international human rights law and on the basis of the foregoing, we can say that most countries have endeavored to lessen this suffering.

To ensure that international law adequately protects women in the modern world, it should be updated to reflect the realities of women's lives and the expertise of women lawyers. Violence against women in all its manifestations was a pervasive cultural norm prior to wars that must be eradicated along with many other types of discrimination increasing the potential for international organizations, especially the International Committee of the Red Cross and its committees, to carry out the rules

of international humanitarian law. To protect civilians during armed conflicts, states have established legal entities aimed at reinforcing the principles of international humanitarian law. All breaches committed against women during armed conflict should be included in the systematic and thorough monitoring and reporting of supervision mandated by UN Security Council resolutions.

In order to defend international children during armed conflicts within international human rights law and international humanitarian law, as Shofi Asma (2018) showed in his research, the Security Council created a special working group to address the most serious violations of children's rights in armed conflict every year including child recruitment, killing, and sexual violence. The issue of child protection in armed conflicts has risen to the top of the international policy agenda. Thus, this paper seeks to illuminate the most important agreements included in international human rights law by focusing on the Convention on the Rights of the Child (1989) and the Optional Protocol to the Convention on the Rights of the Child (1977), as well as the Fourth Geneva Convention (1949) and its supplementary protocols (I and II).

The study's author noted that the fourth Geneva Convention on the Protection of Children in Time of War, signed in 1949, was a significant step forward in ensuring the safety of children caught in the crossfire of armed conflicts, but that flaws soon emerged, particularly in the years following World War II. It makes a clear distinction between civilians and armed forces personnel, and in light of this, it was necessary to review these agreements to supplement the deficiencies and shortcomings in them so that they would be in line with the means and methods of modern warfare and the aspirations and morals of all countries in the world. This was accomplished through the approval of the two additional protocols in 1977; the Convention on the Rights of the Child in 1989; and the international conventions on the protection of children.

The goal of Sandra Singer's (Don Q.) study, "Protecting Children in International Humanitarian Law," was to examine the safeguards put in place for kids during wartime by the Fourth Geneva Convention in 1949 and its two addenda in 1977. These documents introduced the concept of "more harm to kids than others"

and thus necessitated extra precautions for the youngest victims of conflict. Findings and suggestions from the study show that, while the agreement is technically stronger than the declaration since it is legally enforceable, a statement issued by consensus has a higher moral impact than an agreement that few nations have signed. Children under the age of fifteen who are detained during hostilities do not have the legal protections of a prisoner of war under international humanitarian law. Since the same rule bans using these youngsters in armed combat, they are immediately classified as non-combatant civilian population and are at the mercy of circumstances; thus, we realize that they do not have any protection, neither as prisoners of war nor as civilians. It was suggested that we should not undermine the current safeguards guaranteed by nearly thirty articles and the deliberations of the diplomatic conference held in Geneva concerning the reaffirmation and development of international humanitarian law applied in armed conflicts. They formulated two protocols (1977 AD) additional to the Geneva Conventions issued in (1949 AD) continued from (1974 AD) until the year 1977.

This research by Judit C. Grame (Don S.) titled "Women, Human Rights and International Humanitarian Law" set out to assess the reach of IHL's influence on the protection of women's human rights to this point. In addition, advances that have criminalized and prevented acts of sexual violence against women during armed conflict are indicative of the progress gained in safeguarding women within the human rights framework. Nonetheless, the study's results and suggestions highlight the importance of more research into women, war, and international humanitarian law. After being relegated to the legislative periphery for so long, the topic of women's rights is now a source of growing discomfort in the field of international humanitarian law.

The Geneva Conventions fail to recognize the unique challenges faced by women in times of war, including the fact that these women's struggles are not limited to their traditional roles as caregivers or the most vulnerable victims of sexual abuse. Concerning the suggestions, the implementation of women's human rights in a geographically distinct location is not yet recognized by international humanitarian law, but that will change in due time. It requires taking into account the reality of women's lives during war. International humanitarian law already exists to protect

civilians, including women, in times of armed conflict; what is required is its generalization and application with greater insight on the part of those non-governmental organizations (NGOs) that claim there is not enough protection and are working to rewrite the applicable legislation.

Previous research has concentrated on the procedures for applying international humanitarian law as well as the protection of civilians in international armed conflicts under international humanitarian law and the protection of civilians under the Fourth Geneva Convention. How effective are UN bodies such as the Security Council and international criminal tribunals in enforcing compliance with international humanitarian law? Humanitarian action on a global scale and legal safeguards for the press and other media outlets during armed crises; The role of the Security Council in enforcing the principles of international humanitarian law, the protection of children and women in such legislation, and the efficacy of international humanitarian law in both international and non-international armed conflicts.

Focusing on current and historical wars in the Middle Eastern region, violations of women's and children's rights and the steps that should be taken to end such violations, the current study will also examine the importance of providing special protection for these vulnerable populations during times of armed conflict.

Several points that will be emphasized in our study have received little attention in the prior literature. While international humanitarian law protects people from harm, research likes that of Judit C. Grimm and Sandra Singer only looks at one aspect of this issue.

According to Muhammadamin and Baban (2020a), it is imperative to safeguard women in times of war by considering their specific needs. International communities have often expressed concern over the security of women in war zones. The rules of war had already determined how women were to be safeguarded long before the Geneva Conventions and their subsequent protocols. The effects of armed conflict on women's lives are undeniable. Gender-based violence affects women disproportionately, both individually and collectively. Forcible marriage, rape, and solitary confinement are all forms of violence against women. The war has altered

gender dynamics, notably women's perspectives on their role in society, sense of self and fundamental beliefs. For instance, women who lost their husbands in the conflict were thrust into positions of power, and in other cases, the armed conflict allowed women to lower their expectations of marriage, which, in some societies, conferred a high social status upon marriage and thus diminished the opportunities available to women to rise in those societies' social hierarchies. The international legal framework provided by international humanitarian law helps to ensure that the human rights of women are not violated during armed situations. The Geneva Convention and its additional protocols from 1949 make it clear that fundamental rights are protected even in times of war.

Rashid (2020) made an effort to emphasize the significance of giving these children the protection they need and treating them in the same manner as the rest of their classmates in terms of birth registration, health treatment, and educational opportunities. Rashid began by defining sexual violence, laying out the criteria for safeguarding children in general, and then discussing worldwide initiatives to protect children born out of sexual abuse. International humanitarian law should address sexual assault and violence against women and include strategies for protecting children in general. It should also consider the worldwide initiatives in place to ensure the safety and well-being of children born into violent families during times of war. According to the findings of the study, international organizations should work to ensure the safety of these youngsters.

The effects of armed violence on women, the ways in which international humanitarian law safeguards women during war, and the realities of the protections afforded by this law were the subject of Bunga's (2017) study. In times of war, those who are already vulnerable to its effects tend to be the ones who pay the ultimate price. Everyone can fit here. Rape, forced pregnancies, and forced prostitution are all typical forms of violence against women in war zones. When a man dies in battle, a woman may become the main breadwinner for her family. This research shows that armed conflict significantly affects the lives of women. The prevalence of gender-based violence against women is higher than against men due to both individual and structural causes. Detained with men, women face a higher risk of being raped, forced into marriage, or suffocating in overcrowded conditions. Further shifts in

gender relations, especially for women, may be seen throughout the four domains of role, identity, constitution, and ideology because of armed conflict. Because of the need to safeguard women's human rights during times of armed conflict, a legal framework has been established under international humanitarian law.

McKay (1998) found that the effects of war on women and girls vary depending on their gender. Extremely distressing effects include but are not limited to sexual exploitation and gender-based violence. In addition to these effects on women and girls, the absence of or inadequate access to public health services, including reproductive health care, the relocation of girls and women, and the recruitment of girls as child soldiers, are also examples of further gendered repercussions. The report urges governments and non-governmental organizations (NGOs) to give greater attention to strengthening women's abilities in order to safeguard children's physical and emotional well-being better. Research shows that women and mothers are necessary to maintain and rebuild families, which is essential for the safety and well-being of children. That is why it is crucial to prevent acts of gender-based violence and help victims recover emotionally and socially when they do occur. Their efforts to promote peace should be encouraged on a neighborhood, state, and even international scale. That gain will trickle down to the next generation.

This research may help mental health and psychosocial support (MHPSS) workers had better understand the difficulties faced by Syrians who have been forcibly displaced inside their own country or forced to flee to other countries. The paper's findings are based on a thorough examination of relevant clinical, social science, and general literature on the mental health of Syrians. Some of the problems that Syrians may face because of the study include worsening of preexisting mental disorders; new problems caused by conflict-related violence, displacement, and multiple losses; and adaptation issues related to the post-emergency context, such as living conditions in the countries of refuge. Individuals, who have experienced sexual or gender-based violence, as well as abused and exploited children, are at a higher risk of harm. A number of factors, including social prejudice, a lack of common language, and the dynamic of the helping relationship, hamper access to MHPSS. When clients and their families feel secure enough to speak freely about

their experiences and perspectives without fear of repercussions, everyone benefits. The mental and emotional well-being of Syrians uprooted by war and violence may be improved in a number of ways, both inside Syria and in the countries that have taken in its refugees.

Feminist legal experts provide criticism of humanitarian law or "the law of armed conflict" (Gardam, 1997). The human rights framework is a good place to begin when analyzing the role of international law in shielding women from the effects of abuse. The law of armed conflict provides some protection for people who find themselves in this circumstance, notwithstanding the fact that human rights are often suspended in the middle of armed conflict. Human rights activists and scholars need to talk more broadly than they have in recent years about how the law of armed conflict protects women's lives. Human rights legislation has been demonstrated to be inadequate to take into account women's lived experiences, while armed conflict law has been shown to be much weaker. Sexual assault on women during armed conflicts, such as the conflict in the former Yugoslavia, has received significant public attention. However, these issues have not yet been fully resolved. The initial shock wears off once one considers the specific challenges posed by armed conflict.

The UN Security Council's agenda on children and armed conflict is motivated by a duty to shield them from harm. To make sure kids are safe during wars is a good thing, but Lee-Koo (2019) Koo's research report demonstrates that the Council's focus on child safety is excessive. The study concludes that the "protection ethic" is more credible because of the widespread belief that children are "innocent victims," which has driven an agenda focused on their misery. According to the article, this prevents us from seeing youngsters caught in violent situations in a more nuanced light. For this reason, the topic of children's ability to cope with, transform from, and ultimately survive war is not relevant to the goals of the present investigation. They may even play a role in helping communities recover from war. In conclusion, this study argues that re-imagining children's connection to armed conflict offers a way to better guarantee children's rights and express their commitment to peace.

Haer (2019) tried to address these research gaps by examining the status of child soldier studies across disciplinary boundaries and by emphasizing three areas of child soldier studies that are particularly undeveloped. Findings from the research show that many studies have a tendency to choose severe examples of child soldiering and that some studies do not compare them to other countries' experiences. It is impossible to draw broad generalizations across numerous examples, as well as to determine the primary causes of the use or rejection of minors in armed combat.

Because of what the article has shown, the use of children in war is an appalling illustration of how human rights are being eroded, with potentially disastrous effects on an entire society and even adjacent countries. With a better understanding of what drives children to fight in wars, why armed organizations recruit and kidnap children, and what those actions have on those involved—as well as society as a whole—we can develop policies to reduce the use of child soldiers. Crossing disciplinary borders, guaranteeing a comparative viewpoint, and covering the complete range of viable study fields is the only way to get a deeper understanding. DDR programs will benefit from these initiatives, but so will all children in conflict zones, who will have a greater chance at a better life if these policies are implemented.

Muhammadamin and Baban (2020b) provide us with a good summary of the various frameworks for safeguarding the status of marginalized communities affected by armed conflict. A peaceful resolution to armed conflict is the goal of international humanitarian law, the United Nations, and several other institutions and nongovernmental groups. There are times when a non-political humanitarian response is the sole option for armed conflict victims, balancing security with relief. As a result, the focus of this study is on the best method for safeguarding marginalized populations.

The covenant has a wide range of norms that may be used to safeguard them. International agreements and resolutions with certain previous instances have clarified their recognition of a given topic as a vulnerable group that requires protection, according to the study's findings. In times of armed conflict, international humanitarian law and the United Nations' structuring of its mechanisms remain the

minimal response. International law enforcement has always been extraordinary when there is no central organization. Combatants are solely responsible for adhering to the law, and their consent and goodwill are the only means of enforcing it.

Jacob's (2015) article takes this emerging body of work a step further by recommending a Bourdieu-inspired view of global child security. There are theoretical insights for critical security studies that may be gained by studying children in war zones and humanitarian spaces, and by pointing out the political consequences of putting children in social-political settings where conflict and security are intertwined. As a result, children's sociological studies now have their own study agenda, proving that they are valuable research subjects in and of themselves. International relations (IR) have only just benefited from this discovery, which has lagged behind similar breakthroughs in other fields of social science due to the widespread belief that children aren't a legitimate part of arguments about sovereignty, power, and security. A number of experts in the field of international relations have addressed criticized security studies and the importance of children in IR.

4.2. The Study Methodology

4.2.1. Sampling

This study aims to investigate the concept of international protection of women and children in armed conflicts, and the case study is Libya, specifically the southern western, eastern and northern regions of Libya. Thus, the study deals with various concepts related to international protection of women and children and the difficulties of suffering faced by these people in many issues associated with social, psychological, and economic aspects of life. All of the study participants or are Libyan living inside Libya in different armed conflict regions. The term "population collective" refers to the total number of cases of the type that are the subject of the study. It may include people, objects, and even events (Walliman, 2010, p. 11). A sample size represents the number of items to be chosen from the population to constitute a sample. It indicates the suitable number of participants for the study. The study determined sample size by taking into consideration Yamane (1967:886) Statistical Formula

n= N/ (1+N (e) 2) (**n** signifies the sample size. **N** signifies the population under study)

According to Yamane's formula, the sample size "n" is calculated by dividing the size of the population "N" by the sum of 1 and the product of the population size and the square of the constant "e". This formula is based on the assumption that the population follows a normal distribution, and it is often used in cases where the population size is large and the sampling fraction (n/N) is small. The study considered 5% as a tolerable Error and 95% as a confidential level. No special criteria were used to select the participants of this study. In this study, we used the questionnaire as a study tool to collect the study data, and the questionnaire has been distributed by the use of various media such as Facebook, Instagram, email, and WhatsApp in order to reach the study participants. Consequently, we received 409 valid responses and they are used for the data analysis.

4.2.2. Research Design

The current study used both primary and secondary data sources. The primary data of the study has been collected by using a questionnaire from Libyan citizens who live in Libya, especially in the regions that witnessed armed conflicts in the past and current time. The second set of data for the study has been collected from various sources, including professional journals, books, and websites.

The research design indicates the plan, which displays the method and strategies of how the research will be based on by the researcher. It is considered a plan and includes many rules, which allow the researcher to conceptualize and detect the problem of the study (Chambua, Kester and Krinjsen 1997). This study is a quantitative study where the practical field of this study has been implemented by the use of a questionnaire that has been distributed in three regions in Libya, which are the northern, western, and eastern regions of the country, and the questionnaire has been adopted from previous studies.

4.2.3. Data Collection Techniques and Analysis

Data collection technique is a process, which is used to gather data needed by researchers to accomplish specific goals and research questions (Wilson, 2016, p. 6). In addition, data collection is a methodological approach that is used to collect information used to process the hypotheses of the study. As we mentioned above, the questionnaire is the basic tool of this study, which is used to collect the practical data from the participants of the study. Questionnaire is a research tool that consists of various questions in order to collect information from the participants (Creswell & Creswell, 2017, p. 2). It helps the researcher to save time by gathering large amounts of data in a short period, and therefore its selection is justified. It allows organizing questions and receiving responses from participants without having to meet with them individually. The questionnaire is also flexible and has many benefits, including a structured format that is easy for participants to use, and the ability to efficiently and inexpensively gather data from a large number of cases and cover wide geographical areas (Walliman, 2010, p. 19).

The questionnaire for this study includes many parts, including the demographic information of the study participants, and it is based on (Milenkova, 2021, p. 42). We modified some of the questions in the questionnaire in order to be suitable for the Libyan situation. The questionnaire has also been translated into the Arabic language to be available in two languages, Arabic and English. The questionnaire consists of a Likert scale and close-ended questions. Many participants did not agree to participate in the questionnaire, fearing for their identity because the questionnaire includes sensitive information, and especially since the participants included a high number of females, it was very difficult to collect answers from them. The questionnaire has been distributed using Google Form and it took about one month to collect data for the questionnaire.

The data obtained from the participants of the study has been analyzed by the use of the Statistical Package for Social Science (SPSS) version 23. The questions of the questionnaire have been filled out by the participants of the study and analyzed by the use of various descriptive statistics. The data has been analyzed and presented quantitatively by using many tools, including tables, charts, and others, to facilitate

the interpretation of the study results. Moreover, we used many statistical approaches in order to analyze the data of our study, test its hypotheses, and accomplish its goals, including frequency and percentage.

4.2.4. Ethical Consideration

- The participants in this research project were told that they have the right to withdraw from the study at any time without any conditions and that they will not be harmed due to their participation in the project.
- The participants of the study have been informed for the purpose of the study and are assured of confidentiality. The questionnaire was completed namelessly by the participants and treated confidentially.

4.3. Personal Information

The first part of the questionnaire includes personal information about the study sample, and this information includes gender, marital status, age, and education.

Table 4.1. The gender of the study sample

Gender	Frequency	Percentage
Male	325	79.5%
Female	84	20.5%
Total	409	100%

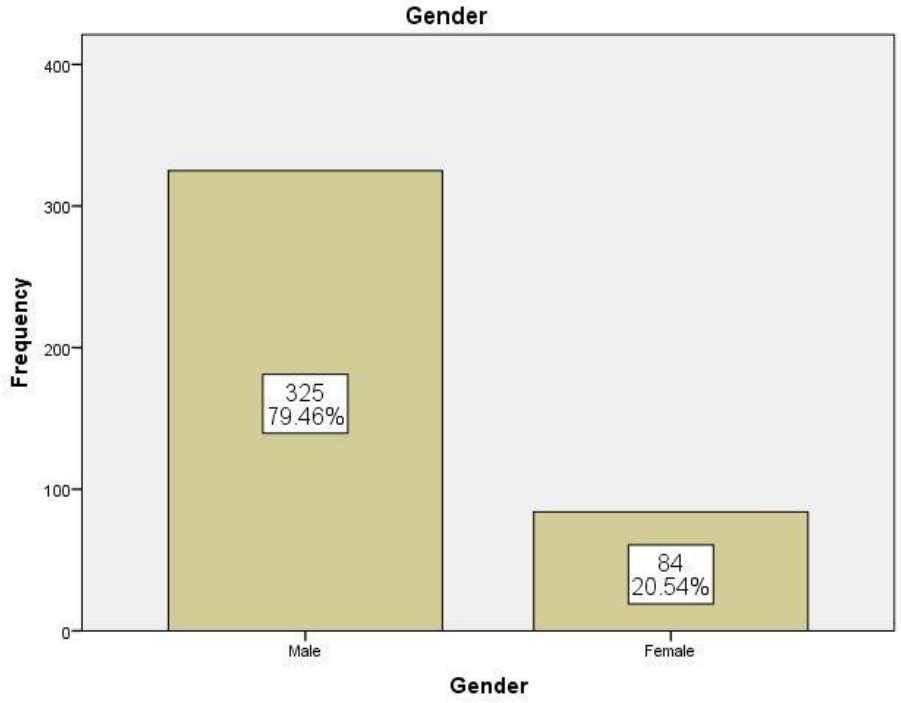


Figure 4.1. The gender of the study sample

As shown in Table 5.1, the largest percentage of our study sample is male, with a percentage of 79.5%, while the percentage of females is 20.5%. The table shows the results of the questionnaire with respect to the gender of the study participants. It indicates that the sample consisted of 409 individuals, of which 325 (79.5%) were male and 84 (20.5%) were female. These results reveal that there was a relatively high proportion of males in the study sample compared to females.

Table 4.2. Marital status of the study sample

Marital status	Frequency	Percentage
Single	325	79.5%
Married	84	20.5%
Total	409	100%

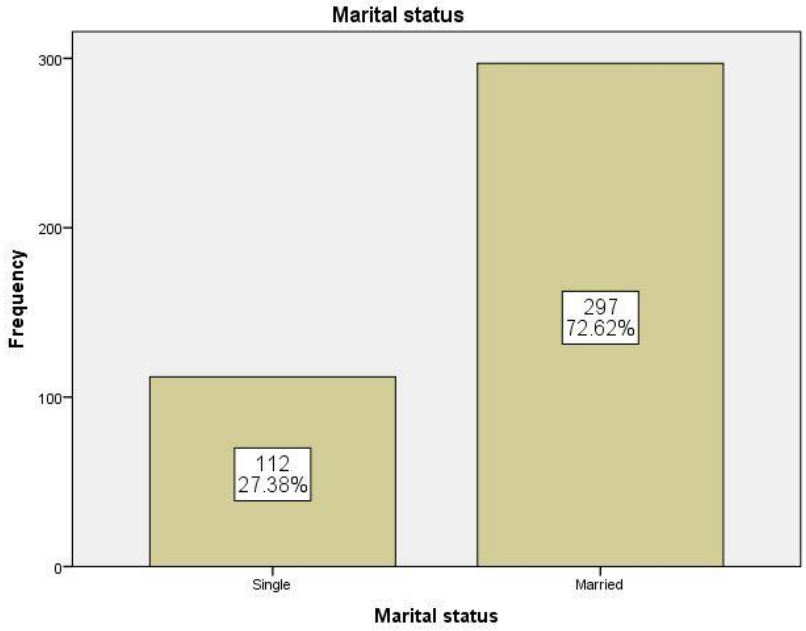


Figure 4.2. Marital status of the study sample

In terms of the marital status, we can see in Table 5.2 that the largest percentage of our study sample is single, with a percentage of 79.5%, followed by the married participants with a percentage of 20.0%. That is to say, the table shows the results of the questionnaire with respect to the marital status of the study participants. It indicates that the sample consisted of 409 individuals, of which 325 (79.5%) were single and 84 (20.5%) were married.

Table 4.3. Age category of the study sample

Age	Frequency	Percentage
18-24	44	10.8%
25-31	33	8.1%
32-37	71	17.4%
38-42	75	18.3%
43-47	129	31.5%
48-53	51	12.5%
54 and more	6	1.5%
Total	409	100%

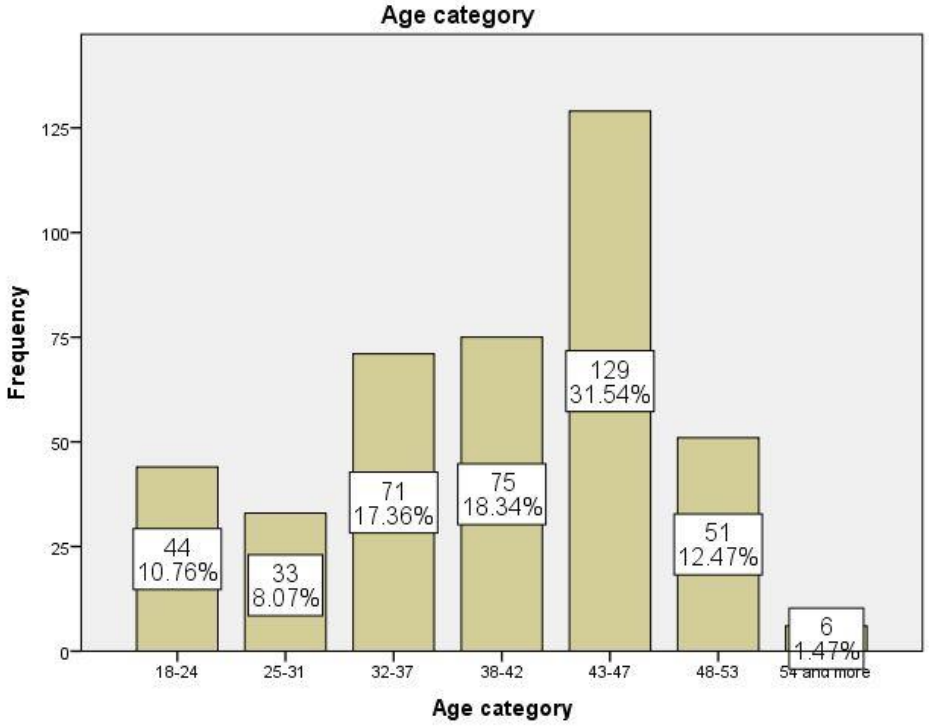


Figure 4.3. Age category of the study sample

The age category of our study participants is varied and different; the study sample is centered between 18 and 24, and we have participants who are more than 54 years old. As shown in Table 4.3, the largest percentage of our study sample is in the age category of 43–47 years old, with a percentage of 31.5%, followed by the participants in the age category of 38–42 years old. In more detail, the table shows the results of the questionnaire with respect to the age of the study participants. The table indicates that the sample consisted of 409 individuals, with a range of ages represented in the sample. The largest age group in the sample was 43-47 years old, comprising 31.5% of the sample. The second largest age group was 38-42 years old, comprising 18.3% of the sample. The smallest age group in the sample was 54 years and older, comprising 1.5% of the sample.

Table 4.4. Educational level of the study sample

Education	Frequency	Percentage
Diploma	58	14.2%
Bachelor	124	30.3%
Master	178	43.5%
Doctorate	49	12%
Total	409	100%

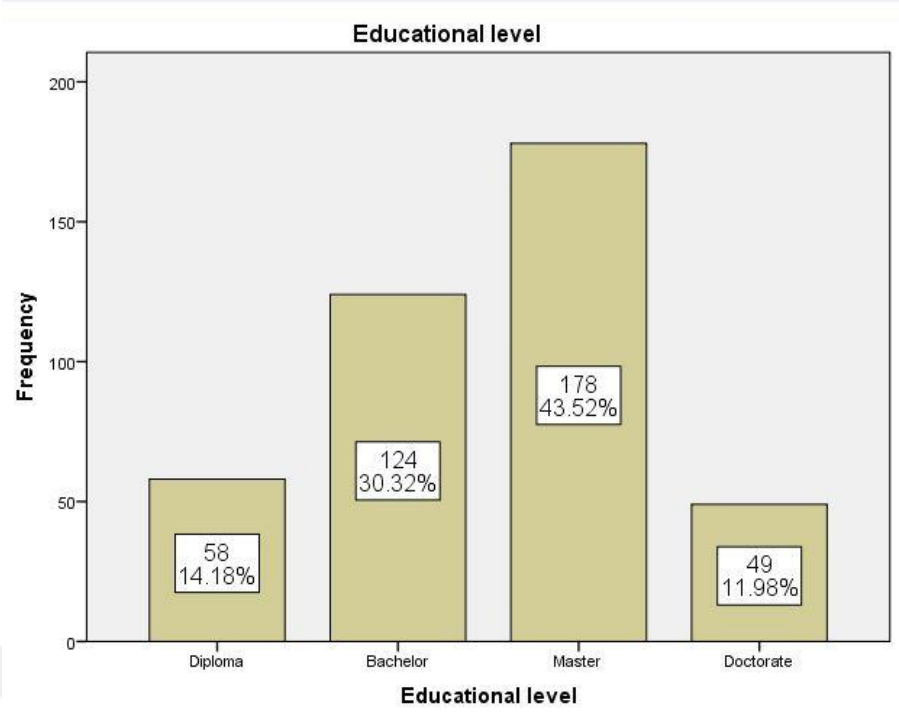


Figure 4.4. Educational level of the study sample

Table 5.4 shows that the largest percentage of our study sample holds a master's degree, with a percentage of 43.5%, followed by the participants with bachelor's degrees, with a percentage of 30.3%. In other words, it shows the results of the questionnaire with respect to the educational level of the study participants. The table indicates that the sample consisted of 409 individuals, with a range of educational levels represented in the sample. The largest educational group in the sample was those with a master's degree, comprising 43.5% of the sample. The second largest educational group was those with a bachelor's degree, comprising 30.3% of the sample. The smallest educational group in the sample was those with a doctorate degree, comprising 12% of the sample.

4.4. Descriptive Information

This part of the questionnaire aims to analyze the international protection of women and children in armed conflict; it includes many questions, all of which are associated with the topic of the study and aim to test the study hypotheses.

1. Are there any regulations in the constitution of other legal codes that guarantee:

The participants were asked to clarify whether there are any regulations in the constitution which guarantee

- the right access for women and men to all forms of healthcare at the highest available level;
- access reproductive health services.
- and the right of women to make autonomous decisions about their sexual and reproductive lives.

According to the study, 38.4% of participants believed that both men and women have the right to access all forms of healthcare at the highest level, while 23.5% thought women have the right to reproductive health services. Only 2% believed that women have the right to make autonomous decisions about their sexual and reproductive lives. In addition, it is shown that 13.4% of the study participants selected the first and second option, 2.4% of them selected the second and third option, and 20% of them selected the first, second, and third option according to the point of view of our study participants.

2. Are medical services related to reproductive life and/or violence against women covered by universal health coverage, including for girls under 18 years old?

According to the study, 68.7% of participants believed that medical services related to reproductive life and violence against women, including for girls under 18, should be covered by universal health coverage, while 31.3% did not agree. The table shows the results of the questionnaire with respect to whether medical services related to reproductive life and/or violence against women are covered by universal health coverage, including for girls under 18 years old. The table indicates that the sample consisted of 409 individuals, with 281 (68.7%) responding that such services are covered and 128 (31.3%) responding that they are not covered. These results revealed that a relatively high proportion of the study sample believes that medical services related to reproductive life and/or violence against women are covered by universal health coverage.

Table 4.5. Are medical services related to reproductive life and/or violence against women covered by universal health coverage including the girls under 18 years old?

Medical services related to reproductive life	Frequency	Percentage
Yes	281	68.7%
No	128	31.3%
Total	409	100%

3. Are there any provisions, which restrict women's access to health services? In particular, which:

(1) Require the consent of a male relative/husband for a married woman's medical examination or treatment or access to contraceptives or abortion;

(2) Allow medical practitioners to refuse the provision of a legal medical service on grounds of conscientious objection;

(3) Certain medical services are prohibited or require that they be authorized by a physician, even where no medical procedure is required.

The study results showed that 37.4% of our study participants selected the first option, which states that it is compulsory for women to have the agreement from their husband to get contraceptives or abortion. 13.7% of them stated that medical practitioners can refuse the provision of a legal medical service on grounds of conscientious abjection, and 11.2% of the study participants stated that some medical services are prohibited for women or need to be authorized by a physician even where no medical procedure is required. Moreover, 19.3% of them selected the first and second option, only 2.9% of them selected the first and third option, and 15.4% of them selected the first, second, and third option.

4. Are the following acts criminalized?

(1) Child marriage;

(2) Home births with an obstetrician or midwife;

(3) Abortion;

(4) Adultery;

(5) Prostitution;

(6) Sexual orientation and gender identity;

(7) Violations of modesty or indecent assault (e.g. not following dress code)

According to the study, a small percentage of participants believed that certain acts were criminalized. For example, 7.6% believed that child marriage is a crime, 3.9% believed that home births with an obstetrician or midwife are a crime, 3.9% believed that abortion is a crime, 2.9% believed that adultery is a crime, 1% believed that prostitution is a crime, 4.9% believed that sexual orientation and gender identity are a crime, and 5.4% believed that violations of modesty or indecent assault are a crime. In addition, that participants have selected more than one selection at the same time and these selections are varied and different, mentioning that some of these acts are criminalized and some stated that they are not, according to the point of view of our study participants.

5. Does your country have regulations (in the constitution) for the following acts:

(1) Special protection against gender-based violence;

(2) Equal access for women to criminal justice.

We see from the results of the study that 38.6% of the study participants stated that there are regulations in the constitution for special protection against gender-based violence; 23.5% of them stated that there is equal access for women to criminal justice; and 37.9% of them selected both of the two options.

6. Are there any provision in criminal law that treat women and men unequally with regard to:

(1) Evidence gathering procedure;

(2) Sentence for the same offence, especially capital punishment, stoning, lashing, imprisonment, etc.;

(3) So-called "honor crimes" (Are they tolerated in order for the perpetrator to avoid prosecution or to be less severely punished if the woman is killed?).

The participants were asked to clarify whether there is any provision in criminal law that treats women and men unequally with regard to the above acts. The study results showed that 32.8% of the study participants stated that they are treated unequally in the procedures of collecting evidence. 19.8% of them stated that they are treated unequally in sentencing the same offence, particularly capital punishment, stoning, lashing, and imprisonment. Furthermore, 12.7% of study participants stated that they are unequal in honor crimes. As well, 7.8% of the study participants selected the first and second option, 2.9% of them selected the first and third option, and 21.9% of them selected the first, second, and third options.

To sum up, this part of the questionnaire included questions related to provisions that may restrict women's access to health services, acts that are criminalized, and provisions in criminal law that may treat women and men unequally. The results of the questionnaire showed that a relatively high proportion of the study sample believe that there are provisions in place that may restrict women's access to health services. Specifically, 37.4% of participants indicated that married women must obtain the consent of their husband for medical examination or treatment, access to contraceptives, or abortion, and 13.7% of participants indicated that medical practitioners could refuse the provision of legal medical services on grounds of conscientious objection.

The results also revealed that relatively few participants believe that certain acts, such as child marriage, home births with an obstetrician or midwife, and abortion, are criminalized. Moreover, they showed that a large number of participants think there are laws in place to protect women from gender-based violence (38.6%) and to give women equal access to criminal justice (23.5%). A large number of participants also think that women and men are treated differently when collecting evidence (32.8%) and when getting sentences for the same crimes (19.8%).

7. Are there legal obligations to provide health education in school?

Table 4.6. Legal obligations to provide health education in school

Legal obligations to provide health education in school	Frequency	Percentage
Yes	280	68.5%
No	129	31.5%
Total	409	100%

In terms of the legal obligations to provide health education in school, we can see in Table 5.6 that 68.5% of our study participants said "Yes" that there are legal obligations to provide health education in school and 31.5% of them said "No" that there are no legal obligations to provide health education in school. In other words, the table shows the results of the questionnaire with respect to whether there are legal obligations to provide health education in school. It also indicates that the sample consisted of 409 individuals, with 280 (68.5%) responding that there are such legal obligations and 129 (31.5%) responding that there are not. According to these results, a large number of the people in the study sample think that schools are required by law to teach about health.

8. Are there any statistical data disaggregated by age and/or gender (collected over the last 5 years) regarding:

(1) Malnutrition

(2) Maternal mortality

(3) Maternal morbidity, including obstetric fistula

(4) Health consequences of physical, psychological, sexual and economical gender-based violence

(5) Drug abuse

(6) Alcohol addiction

(7) Legal abortions

(8) Death resulting from legal abortions

(9) Illegal abortions

(10) Death resulting from illegal abortions

(11) Use of contraceptives, including mechanical and hormonal (including emergency contraceptives)

The participants were asked to mention whether there are any detailed statistics by age or gender about the above issues. The study results showed that only 5.9% of the study participants stated that there are statistics about malnutrition; only 8.8% of them stated that there are statistics about maternal mortality; only 3.5 of them stated that there are statistics about maternal morbidity; only 2% of them stated that there are statistics about the health consequences of physical, psychological, sexual and economic gender-based violence; only 6.9% of them stated that there are statistics about drug abuse; only 3.5% of them stated that there are statistics about the use of contraceptives, including mechanical and hormonal (including emergency contraceptives).

To express differently, the questionnaire included questions related to the availability of statistical data on various health issues disaggregated by age and/or gender. The results of the questionnaire suggest that relatively few participants believe that there are detailed statistics available on these issues. In particular, only 5.9% of participants said there are statistics on malnutrition, 8.8% said there are statistics on maternal mortality, and 3.5% said there are statistics on maternal morbidity. Only 2% of participants said there are statistics on the health effects of physical, mental, sexual, and economic violence against women, 6.9% said there are statistics on drug abuse, and 3.5% said there are statistics on the use of contraceptives.

9. Are there any statistical data and/or estimations regarding the number of reported and/or unreported cases and convictions for:

(1) Illegal voluntary abortion

(2) Forced abortions

(3) Malpractices in cosmetic medicine

(4) obstetric violence

The questionnaire included questions related to the availability of statistical data and/or estimations on reported and/or unreported cases and convictions for illegal voluntary abortion, forced abortion, malpractices in cosmetic medicine, and obstetric violence. The results of the questionnaire suggest that relatively few participants believe that there are detailed statistics available on these issues. Specifically, 24.9% of participants indicated that there are statistics on illegal voluntary abortions, 10.5% indicated that there are statistics on forced abortion, 11.2% indicated that there are statistics on malpractices in cosmetic medicine, and 9% indicated that there are statistics on obstetric violence.

10. Is the gender perspective included in national health-related policies?

Table 4.7. Is the gender perspective included in national health-related policies?

Gender perspective included in national health	Frequency	Percentage
Yes	293	71.6%
No	116	28.4%
Total	409	100%

The questionnaire included a question asking participants whether the gender perspective is included in national health-related policies. The results of the questionnaire reveal that a majority of participants believe that the gender perspective is included in these policies. Specifically, 71.6% of participants indicated that the gender perspective is included, while 28.4% indicated that it is not.

11. Are there any national policies regarding women's safety in public spaces?

Table 4.8. Are there any national policies regarding women's safety in public spaces?

National policies regarding women safety in public spaces	Frequency	Percentage
Yes	317	77.5%
No	92	22.5%
Total	409	100%

Based on the results of Table 5.8., it appears that the majority of the study participants, 77.5%, indicated that there are national policies regarding women's safety in public spaces in their country. On the other hand, 22.5% of the participants indicated that there are no such policies in place. This information could be useful for understanding the level of attention that is being paid to the issue of women's safety in public spaces in the country in question.

12 Has there been any public opinion research polls on the fear of crime among women and men (over the last 5 years)?

Table 4.9. Has there been any public opinion research polls on the fear of crime among women and men (over the last 5 years)?

Public opinion research polls on the fear of crime among women and men	Frequency	Percentage
Yes	267	65.3%
No	142	34.7%
Total	409	100%

Table 5.9 shows that the majority (65.3%) of the study participants reported that there have been public opinion research polls on the fear of crime among women and men in their country over the past 5 years. This indicates that there is some level of awareness and concern about the issue of crime and fear of crime among both women and men in the country. Again, it would be useful to verify this information through other sources to confirm the accuracy of the data.

13. Are there any measures and programs undertaken in order to increase women's safety, e.g. in public urban spaces, on public transportation, etc.?

Table 4.10. Are there any measures and programs undertaken in order to increase women's safety e.g. in public urban spaces, in public transportation, etc.?

Measures and programs undertaken in order to increase women's safety	Frequency	Percentage
Yes	306	74.8%
No	103	25.2%
Total	409	100%

The participants of our study were asked to answer "Yes" or "No" about the availability of measures and programs undertaken to increase the safety of women in public urban spaces and on public transportation, and we can see in Table 5.10 that 74.8% of our study participants said "Yes" and 25.2% said "No". In other words, the majority of the study participants, 74.8%, reported that there are measures and programs in place to increase women's safety in public spaces and on public transportation in their country. However, 25.2% of the participants indicated that there are no such measures or programs in place. This suggests that there may be a significant number of women in this study who do not feel safe in public spaces and on public transportation, or that there is a lack of adequate measures and programs to

address issues of safety for women in these areas. It would be important for policymakers and authorities to consider implementing measures and programs to address these issues in order to ensure the safety and well-being of women in the country.

14. Are there any statistics on crimes amounting to violence against women in public spaces and/or domestic violence?

Table 4.11. Are there any statistics on crimes amounting to violence against women in public spaces and/or domestic violence?

Statistics on crimes amounting to violence against women in public spaces	Frequency	Percentage
Yes	264	64.5%
No	145	35.5%
Total	409	100%

According to Table 5.11., a significant portion of the study participants (64.5%) reported that there are statistics on crimes amounting to violence against women in public spaces. This reveals that there is some level of awareness and documentation of violence against women in public spaces in the country. On the other hand, 35.5% of the participants indicated that there is no such data available. This could potentially be due to a lack of reporting or documentation of such crimes. It is important for governments and relevant authorities to collect and maintain accurate data on crimes against women, as this can help inform policies and initiatives aimed at addressing and preventing such crimes.

15. Is the gender of the victim reflected in the police, prosecutors, and court records?

Table 4.12. Is the gender of the victim reflected in the police, prosecutors, and court records?

Gender of the victim reflected in the police, prosecutors, and court records	Frequency	Percentage
Yes	303	74.1%
No	106	25.9%
Total	409	100%

Table 5.12 shows that 74.1% of the study participants reported that the gender of the victim is reflected in the police, prosecutors, and court records. This shows that there is a general recognition of the importance of including gender in these records. However, the fact that 25.9% of the participants reported that the gender of the victim is not reflected in these records indicates that there may still be some issues concerning the inclusion of gender in these records.

16. Are there any data and/or results of research on the detrimental influence of the feelings of insecurity and unsafely on women's mental health?

Table 4.13. Are there any data and/or results of research on the detrimental influence of the feelings of insecurity and unsafely on women's mental health?

Data and/or results of research on the detrimental influence of the feeling of insecurity and unsafety on women's mental health	Frequency	Percentage
Yes	272	66.5%
No	137	33.5%
Total	409	100%

Table 5.13 shows that 66.5% of the study participants reported that there are data or research results on the detrimental influence of feelings of insecurity and unsafely on women's mental health, while 33.5% stated that there are no such data or research results. This suggests that a significant proportion of the study sample believes that feelings of insecurity and unsafely can have a negative impact on women's mental health.

17. Are there specific health and safety protective measures for women, and/or with special provisions for mothers with young children, in “closed” institutions including in:

(1) Prisons

(2) Police detention cells

(3) Psychiatric hospitals

(4) Pre-deportation centers

(5) Camps for displaced women and families

(6) Women’s shelters

The participants were asked to clarify if there are specific health and safety protective measures for women or special provisions for mothers with young children in closed institutions in the above cases. Only 9.5% of the study participants stated that there are specific health and safety measures for women in prisons; only 8.8% of them stated that there are measures in police detention cells; only 8.3% of them stated that there are measures in psychiatric hospitals; only 8.3% of them stated that there are measures in pre-deportation centers; only 9% of them stated that there are measures in displaces camps for women; and only 5.9% of them stated that there are women’s shelters.

These results suggest that there may be a lack of specific health and safety protective measures for women and mothers with young children in closed institutions such as prisons, police detention cells, psychiatric hospitals, pre-deportation centers, camps for displaced women and families, and women's shelters. It is important for these institutions to have such measures in place to ensure the health and safety of women and mothers with young children, as they may be more

vulnerable to harm and abuse in these settings. It is also worth noting that the low percentage of study participants who reported the presence of these measures may indicate a lack of awareness or knowledge about their availability, which could be addressed through better communication and education. It is important for governments and relevant organizations to prioritize the health and safety of women and mothers with young children in closed institutions and to ensure that appropriate measures are in place to protect them.

18. Are there specific training programs for medical and legal professionals on the issue of gender-based discrimination in the area of health and safety?

Table 4.14. Are there specific training programs for medical and legal professionals on the issue of gender-based discrimination in the area of health and safety?

Training programs for medical and legal professionals on the issue of gender-based discrimination	Frequency	Percentage
Yes	298	72.9%
No	111	27.1%
Total	409	100%

Table 5.14 indicates that 72.9% of the study participants reported that there are specific training programs on the issue of gender-based discrimination in the area of health and safety for medical and legal professionals. This suggests that there is a significant proportion of professionals in this study who have received training on the issue of gender-based discrimination. It is important that professionals in the health and safety sector receive training on issues related to gender-based discrimination in order to provide more equitable and inclusive services to all individuals. This is especially important in the context of health and safety, as

discrimination can have serious consequences for the physical and mental well-being of individuals.

19. Have you been exposed when you were a child to pushing, grabbing, or kicking?

Table 4.15. Have you been exposed as a child to pushing, grabbing, or kicking?

Exposed when you are a child to pushing, grabbing, or kicking	Frequency	Percentage
Yes	288	70.4%
No	121	29.6%
Total	409	100%

The study participants were asked about their personal experiences with physical abuse as children. The results show that about 70% of the participants reported being exposed to pushing, grabbing, or kicking when they were children, while about 30% reported not experiencing such abuse. These results suggest that a significant portion of the study participants experienced physical abuse as children, which can have serious long-term consequences for their physical and mental health.

20. Have you been exposed when you were a child to hitting, beating, or spanking by a hand?

Table 4.16. Have you been exposed as a child to hitting, beating, or spanking by a hand?

Exposed when you are a child to hitting, beating, or spanking by a hand	Frequency	Percentage
Yes	330	80.7%
No	79	19.3%
Total	409	100%

On the question of whether the participants of our study have been exposed to hitting, beating, or spanking by hand, we can see from the result in Table 5.16 that 80.7% of our study participants were exposed to hitting, beating, or spanking by hand and only 19.3% of them have not been exposed to such violence. This suggests that physical abuse during childhood is a common experience for many of the study participants. It is important for authorities and professionals to be aware of and address the issue of child abuse, as it can have serious and long-term impacts on the physical and mental health of individuals.

21. Have you been exposed when you were a child to a hit or spank with a belt, paddle, a stick or other object?

Table 4.17. Have you been exposed as a child to a hit or spank with a belt, paddle, a stick or other object?

Exposed when you are a child to a hit or spank with a belt, paddle, a stick or other object	Frequency	Percentage
Yes	310	75.8%
No	99	24.2%
Total	409	100%

Table 5.17 presents data on the frequency and percentage of individuals who have been exposed to physical discipline (hitting or spanking with a belt, paddle, stick, or other object) as children. The table indicates that 310 out of 409 individuals (75.8%) reported being exposed to physical discipline as children, while 99 individuals (24.2%) reported not being exposed to such discipline. It is important to note that the use of physical discipline as a form of child discipline has been widely criticized and is generally not recommended by child development experts. There are more effective ways to discipline children that do not involve physical punishment.

22. Have you been exposed when you were a child to choking?

Table 4.18. Have you been exposed when you were a child to a choke?

Exposed when you are a child to a choke	Frequency	Percentage
Yes	241	58.9%
No	168	41.1%
Total	409	100%

Table 5.18 presents data on the frequency and percentage of individuals who have been exposed to choking as children. The table indicates that 241 out of 409 individuals (58.9%) reported being exposed to choking as children, while 168 individuals (41.1%) reported not being exposed to choking. It is important to note that choking can be a serious and potentially life-threatening situation, and it is important to take steps to prevent choking and to know how to respond if someone does begin to choke.

23. Have you ever had your hair pulled or twisted in your ear when you were a child?

Table 4.19. Has anyone pulled your hair or twisted your ear when you were a child?

Anyone pulled your hair or twisted your ear when you were a child	Frequency	Percentage
Yes	332	81.2%
No	77	18.8%
Total	409	100%

Table 5.19 presents data on the frequency and percentage of individuals who have experienced hair pulling or ear twisting as a form of physical abuse during childhood. The table indicates that 332 out of 409 individuals (81.2%) reported experiencing hair pulling or ear twisting as a form of physical abuse during childhood, while 77 individuals (18.8%) reported not experiencing such abuse. Physical abuse, including hair pulling and ear twisting, is a serious issue that can have negative long-term effects on a child's physical and mental health. It is important to recognize the signs of physical abuse and to take steps to protect children from such abuse.

24. Have you ever had someone lock you up in a small place or tie you up when you were a child?

Table 4.20. Has anyone locked you up in a small place or tied you up when you were a child?

Anyone locked you up in a small place or tied you up when you were a child	Frequency	Percentage
Yes	223	54.5%
No	186	45.5%
Total	409	100%

Table 5.20 presents data on the frequency and percentage of individuals who have experienced being locked up in a small place or tied up as a form of physical abuse during childhood. The table indicates that 223 out of 409 individuals (54.5%) reported experiencing being locked up in a small place or tied up as a form of physical abuse during childhood, while 186 individuals (45.5%) reported not experiencing such abuse. Physical abuse, including being locked up or tied up, is a serious issue that can have negative long-term effects on a child's physical and mental health.

25. When you were a child, did anyone make you stay in one position holding a heavy load or another burden, or make you do exercise as punishment?

Table 4.21. Did anyone make you stay in one position holding a heavy load or another burden or make you do exercise as punishment when you were a child?

Anyone made you stay in one position holding a heavy load or another burden or made you do exercise as punishment when you were a child	Frequency	Percentage
Yes	222	54.3%
No	187	45.7%
Total	409	100%

Table 5.21 presents data on the frequency and percentage of individuals who have experienced being made to stay in one position holding a heavy load or another burden, or being made to do exercise as punishment, during childhood. The table indicates that 222 out of 409 individuals (54.3%) reported experiencing such punishment during childhood, while 187 individuals (45.7%) reported not experiencing such punishment. Physical punishment, including being made to hold a

heavy load or do exercise as punishment, can have negative effects on a child's physical and mental health. It is generally more effective to discipline children using positive methods, such as setting clear limits and expectations, providing consequences for inappropriate behavior, and rewarding positive behavior.

1. 26. Have you had anyone approach or speak to you in a sexual way or written sexual things about you when you were a child?

Table 4.22. Has anyone approached or spoken to you in a sexual way or written sexual things about you when you were a child?

Anyone approached or spoken to you in a sexual way or wrote sexual things about you when you were a child	Frequency	Percentage
Yes	233	57%
No	176	43%
Total	409	100%

Table 5.22 presents data on the frequency and percentage of individuals who have experienced sexual abuse during childhood. The table indicates that 233 out of 409 individuals (57%) reported experiencing sexual abuse during childhood, while 176 individuals (43%) reported not experiencing such abuse. Sexual abuse is a serious issue that can have long-term effects on an individual's physical and mental health. It is important to recognize the signs of sexual abuse and to take steps to protect children from such abuse. It is also important to educate children about their bodies and boundaries, and to teach them to speak up if they feel uncomfortable or unsafe.

27. Have you ever been made to watch a sex video or look at sexual pictures in a magazine or on a computer when you did not want to when you were a child?

Table 4.23. Has anyone made you watch a sex video or look at sexual pictures in a magazine or on computer when you did not want to when you were a child?

Anyone made you watch a sex video or look at sexual pictures in a magazine or computer when you did not want to when you were a child	Frequency	Percentage
Yes	217	53.1%
No	192	46.9%
Total	409	100%

On the question of whether the participants were forced to watch a sex video or look at sexual pictures when they were children, we can see in Table 5.23 that 53.1% of our study participants were forced to watch sex videos or pictures when they did not want to, and 46.9% of them had not. Table 5.23 presents data on the frequency and percentage of individuals who have experienced being made to watch a sex video or look at sexual pictures during childhood against their will. The table indicates that 217 out of 409 individuals (53.1%) reported experiencing such abuse during childhood, while 192 individuals (46.9%) reported not experiencing such abuse. Being made to watch a sex video or look at sexual pictures against one's will is a form of sexual abuse and can have long-term effects on an individual's physical and mental health. It is important to recognize the signs of sexual abuse and to take steps to protect children from such abuse. It is also important to educate children about their bodies and boundaries, and to teach them to speak up if they feel uncomfortable or unsafe.

28. Have you ever been raped or forced to have sexual intercourse when you did not want to when you were a child?

Table 4.24. Has anyone raped or forced you to have sexual intercourse when you did not want to when you were a child?

Anyone raped or forced you to have sexual intercourse when you did not want to when you were a child	Frequency	Percentage
Yes	196	47.9%
No	213	52.1%
Total	409	100%

Table 5.24 presents data on the frequency and percentage of individuals who have experienced sexual assault or rape during childhood. The table indicates that 196 out of 409 individuals (47.9%) reported experiencing sexual assault or rape during childhood, while 213 individuals (52.1%) reported not experiencing such abuse. Sexual assault and rape are serious crimes that can have long-term effects on an individual's physical and mental health. It is important to recognize the signs of sexual abuse and to take steps to protect children from such abuse. It is also important to educate children about their bodies and boundaries, and to teach them to speak up if they feel uncomfortable or unsafe.

4.5. Discussion

It is not possible to separate the direct and indirect effects exposed by women and children during wars and armed conflicts, but the sufferings of women and children are varied and different from physical, psychological, social, and economic aspects. In terms of the physical side, we can see that conflicts cause many physical and health injuries, which may lead, in most cases, to their death. The physical

injuries suffered by women and children during wars are killing, wounding, sexual harassment, and physical violence. In the Middle East, the armed conflicts spread, and many women are exposed to inspection, insult, humiliation, kidnapping, trafficking, exploitation, rape, forced pregnancy and abortion, deterioration of health, especially for pregnant women, destruction of healthy institutions and having disease.

Moreover, women and children in conflict areas may be exposed to psychological effects where wars cause them deep psychological effects such as psychological and neurological disorders, fear, sadness, anxiety. In cases of losing one of the family members, especially if the deceased is the husband, the wife will be forced to bear the burden of the family for a long time and face many problems, especially when the woman is the only breadwinner of the family. This puts many women and children under great pressure and makes them more vulnerable to psychological effects.

In addition, these conflicts may affect socially on the lives of women and children, especially women, who may be exposed to displacement, asylum, and family break up. This is mainly because of geographical break up because of sieges and restrictions, reducing the freedom of movement and travel, undermining the right of education where going to schools and universities becomes risky. This is in addition to early marriage because of fear of the financial difficulties suffered by families during wars and conflicts, and their fear of losing their breadwinner, and lack of marriage opportunities for women from another side because the woman bears all the family burden in the case of losing the family breadwinner.

Conflicts may have an economic effect on women and children where they may be more affected than men in wars where they may suffer from poverty and lose their source of income, which may lead to malnutrition and unemployment. Sometimes they are forced to work in case of losing the breadwinner, in addition to losing properties such as confiscated lands, which may force them to lose their source of income, especially when those lands are agricultural lands and the family income source. The women may be politically affected during wars and armed conflicts where wars may lead to decrease the political area of the woman.

After the woman achieved progress in occupying the political and social positions before the conflict, these accomplishments may decrease with the outbreak of wars because of preoccupied with family responsibilities and resist the other impacts, which may face during armed conflicts. In addition, the agreements and conferences between the conflicting parties during wars come against women and their rights.

From the above explanation, we can realize that the most affected parties because of armed conflicts are women and children, where they are victims of those issues. Therefore, this study came to examine this topic and tried to reach results through the following set of goals:

(1) Determine if there is gender discrimination in practicing health and safety between the two genders in areas that witness armed conflicts.

(2) Determine if there are legislative, political, or practical reforms associated with the health of women and their safety in areas witnessing armed conflicts.

(3) Exposure of children to different types of violence during childhood.

(4) Exposure of children to different types of sexual violence during childhood.

The first goal of the study is to understand the gender discrimination in practicing health and safety between the two genders in the regions characterized by wars and armed conflicts. The second goal is to identify if there are legislative, political, or practical reforms associated with the health of women and their safety in the regions witnessing wars and armed conflicts. In addition, the third goal was associated with children and aimed to identify the exposure of children to different types of violence during childhood, and the last goal was associated with children and aimed to determine the exposure of children to different types of sexual violence during childhood. The results of the study and test of the hypotheses can be summarized as follows:

- The findings of the study, based on the questionnaire results, showed that there is gender discrimination in the areas that witness health and safety issues, and this result supports the first hypothesis.

- The findings of the study also showed that there is legislative reform, policy, or practice regarding health and safety for women, and this result supports the second hypothesis of this study.
- The findings of the study showed that some children have been exposed to different types of violence during childhood in areas that witness armed conflicts, and this result partially supports the third hypothesis of this study.
- The finding of the study also showed that some children have exposed to sexual violence during childhood and this result supports the fourth hypothesis of this study.

To sum up, the findings of the study, based on the questionnaire results, showed that there is gender discrimination in practicing health and safety between the two genders in those areas that witness armed conflicts. As there was no discrimination between men and women regarding health and safety issues when they should take into consideration their lives and their survival, it seems that this result partly supports the first hypothesis of this study. However, it is important to say that there is a lack of knowledge about social communication tools, which defines this term. Based on the findings, it is critical that the government implement social communication tools to aid in the implementation of change in these areas.

The other findings of the study, based on the questionnaire results, showed that there are legislative, political, or practical reforms associated with health and safety for women in those areas that witness armed conflicts. The result showed that there was no discrimination between men and women regarding health and safety issues. As women are victims of those health and safety issues, this finding supports the second hypothesis. Therefore, it is important that the government try to implement laws and policies that will protect and improve the health of women through this study.

The findings of the study also showed that there was exposure to different types of violence during childhood in areas that witnessed armed conflicts. The children who have been exposed to different types of violence during childhood will face challenges in their lives, and the result supports the third hypothesis. Therefore,

it is important that the government should implement reform priorities to improve the conditions of poor and vulnerable children through this study.

The findings of the study also showed that some children have been exposed to different types of sexual violence during childhood in those areas that witness armed conflicts. This finding also supports the fourth hypothesis of this study. Therefore, it is important that the government take measures to protect children and provide security for children in areas that witness armed conflicts.

Women and children are afforded both specific and general protections under international humanitarian law in times of armed conflict. Each person's age and gender classification must be taken into account while implementing these safeguards. The Third and Fourth Geneva Conventions, as well as their two supplemental protocols, have specific provisions governing each of these forms of protection. Women and children only fall under the scope of the article's protection if they fall into one of the specified categories.

Women, including those who are pregnant, nursing, or caring for small children, were the primary focus of the contract's provisions, which aimed to ensure their safety. However, the protective requirements should have been universally applicable to all women. Due to their anatomy and vulnerability, women of all backgrounds should be afforded equal protection.

A variety of approaches has been used to determine what age a kid must be before they are no longer protected from harm. The age at which a child is entitled to protection varies between the texts of the Convention, ranging from 12 in certain cases (like the Fourth Geneva Convention) to 15 in others. For this reason, we believe that no kid under the age of 18 should be denied this safeguard. Because of their unique sensory abilities, youngsters require special safeguards. The age of protection must also be consistent with the majority of international accords that establish 18 as the minimum age of infancy. All of these call for increasing the minimum age at which children are legally protected to 18.

Safe zones are not designed with women and children in mind, contrary to what is stated in Article 14 of the Fourth Geneva Convention for the simple reason that the warring parties are not required or compelled by this article to set up buffer

zones. The creation of such buffer zones is discretionary under this provision. On its whole, it simply suggests the establishment of buffer zones. Therefore, the treaty stipulates that the fighting parties are under no obligation to establish such zones, and their implementation is contingent on the consent of the warring parties. Safe zone development is unusual, as military conflict fosters unfavorable relations between the contending parties. In addition, one side's demand to create a safe zone impedes the other side's ability to hit and relocate its enemy's targets. This last rationale should not impede the development of such zones. We feel that Article 14 of the Fourth Geneva Convention should be revised to mandate and require the parties. Because this study provides the most essential means of protecting women and children in armed situations, conflicting parties' building of such zones and compelling them to observe the protection of these zones would leave no need to examine other types of protection that should be offered to women and children during armed conflict, such as protection during migration and evacuation. When such zones are formed, the concept of differentiating between people and combatants is maintained. Because in such a circumstance, women and children will not be subjected to random attacks.

It is observed that International Humanitarian Law acknowledges the protection of children against acts of deportation with the First Additional Protocol because this clause makes it essential for the exile to be temporary and for compulsory reasons relating to the health of the child. For this reason, we consider that the child's health and psychological state should be taken into account when he is exiled. Likewise, Article 78 of the First Additional Protocol expressly stipulates that the basis for the exile of the child will be related to his health condition.

Regarding the protection of minors from the death sentence, we are of the opinion that the framework of this protection should be enlarged to embrace all people under the age of 18. This is what the Geneva Convention and its two supplemental protocols should follow in all forms of safeguarding children during armed conflict. Our results addressing the protection of battling women and children are as follows. The provisions of the Convention address the issue of youngsters being soldiers and participating in acts of war. The Second Additional Protocol explicitly or indirectly barred minors from participating in acts of hostility. However, he accepted the minimum age of 15 for military duty. The scenario is the same with

the Convention on the Rights of the Child because paragraph 3 of its 38th article likewise established this age as 15.

Regarding the position of women, it is noted that their bodily structures are subject to the hazards that arise during the actions of aggression. We are of the opinion that the conditions for women to participate in acts of aggression, even if freely, should be intensified.

All state parties are obligated to implement domestic legal measures to promote the ban on children from participating in acts of violence. Children under the age of 18 should be prevented from conscripting or engaging in acts of hostility. The norms against such behavior must be taught, and all communities, both formal and informal, should be urged to adopt and apply them. It is the responsibility of each state party to enact the requisite criminal legislation to penalize the conscription of people under the age of 18, and to ensure that amnesty laws or other similar measures do not cover such acts. Many of the problems that women currently face may be avoided if they were seen as essential to community development on a par with males. To be truly equal to males in social position, however, women had to strive for political reform and accomplish actual change. For centuries, women in Arab nations have fought against cultural norms that treat them as second-class citizens. This was a monumental challenge for women, and they felt compelled to see it through to the very end.

Since Arab nations were unable to attain gender equality in society, it made life even more challenging for women. Organizations representing women stressed the importance of reworking personal status legislation as a central demand of the demonstrations. In this process, Arab women's activists, who have been fighting patriarchy for decades, have exerted enormous effort to identify avenues for advancing women's rights and fostering gender equality. Educated women and illiterate housewives alike can be seen among the women of the Arab Spring. As seen by this, women of all classes were united in their support of the Arab Spring.

To secure a brighter tomorrow, women have battled side by side with men. Women of various ages and backgrounds have been active in statewide protests as well as on blogs and other media platforms, whether their participation has been

disguised in secrecy or not. Women aspired to make a difference in the political shift and shape their destiny by participating in the demonstrations.

By participating in upheavals both at home and abroad and by making use of social media and internet-based platforms, women in the Arab Spring attempted to garner worldwide public support for their cause. Young women from every nation have sparked a worldwide uprising by showing the world that they, too, are not afraid to stand up for what they believe in. These women were motivated to break gender norms because of their example of courage. Activist "Lina Ben Mhenni," blogger and professor "Amira Yahyaoui," university lecturer and researcher "Amal Grami," and blogger, women's advocate, and peace activist "Aya Chebbi" were all-active in Tunisia during the Arab Spring.

It consists of noteworthy women. Author and activist "Nawal El Saadawi," journalist "Mona Eltahawy," activist and computer entrepreneur "Asmaa Mahfouz," activist and blogger "Israa Abdel Fattah," and human rights campaigner "Dalia Ziada" are just a few of the renowned Egyptian women represented here. In Libya, "Iman al-Obeidi," a law student, and "Hana Elhebshi," an activist and architect, are both considered to be pivotal figures in the country's support of the Arab Spring.

There is no denying the Arab Spring's positive and uplifting effects on women and men alike. However, the movement has also been marred by acts of violence and backlash. The uprisings in each nation followed different paths and had different outcomes because of these differences. Women played key roles and were visible in nearly all regional revolutions. Similar to young Arab men, young Arab women who are influenced by globalization processes and familiar with new communication technologies have sought to improve their organizations by using innovative strategies for networking, advocacy, and group coordination. By fighting back, they hoped to regain some of the pride and dignity they had lost during the years of oppression and powerlessness they had experienced.

There was a dramatic shift in how Arab women were portrayed after the Arab Spring. Photos showing everyday women participating in protests have also helped to dispel stereotypes about Arab women that have persisted in the international media for a long time. This is one reason why modern women are challenging long-

held norms. There was a dramatic shift in how Arab women were portrayed after the Arab Spring. Photos showing everyday women participating in protests have also helped to dispel stereotypes about Arab women that have persisted in the international media for a long time. This is one reason why modern women are challenging long-held norms. Both girls and boys are now raising their voices in an attempt to change the lives of their societies. There is no denying the Arab Spring's positive and uplifting effects on women and men alike. However, the movement has also been marred by acts of violence and backlash. The uprisings in each nation followed different paths and had different outcomes because of these differences. Women played key roles and were visible in nearly all regional revolutions.

Even though it was believed that women would avoid rallies that may put their lives in danger, a large number of women took part in the Arab Spring upheavals, puzzling authoritarian authorities. The true depth of popular rejection of dictatorships and intelligence services was demonstrated by the 2011 uprisings, and this helped to hasten the fall of many authoritarian governments. In addition, it showed how women might make a difference in opposing the lack of real political reform and the manner in which corruption and bribery are dealt with under authoritarian governments. The leaders of the political and cultural establishment failed to foresee that women would join the public movement. In 2011, women shocked the world by making the unexpected decision to move from victims to leaders who inspire change. Women and young people were considered to have suffered a high price for their contributions to the Arab Spring, both before and after the protests.

In Conclusion, the Arab Spring was not only a political revolution but also a personal, social, and communication upheaval as it mobilized the customary standards of involvement and visibility of Arab women and introduced new concerns into the public domain.

What prompted these women to take such an unusual step? The women and young people of these countries have suffered the most under their corrupt governments. Individual rights were not protected, and there was a lack of regard for the inherent worth of each person. Therefore, they aimed to gain from the shift. The

women who led the Arab Spring protests have been largely overlooked by political leaders and decision-makers. There have been an insufficient number of them serving in positions of power. Women and young people have been underrepresented in transitional governments.

Despite women's leadership roles in Arab Spring protests, their voices were often disregarded in subsequent political agreements. During the era of transition, they contributed to opposing voices and critiqued government failures while being outnumbered at the highest echelons of government. Women have made significant efforts to back democratic changes. Women's participation in politics and the accomplishments they made during the Arab Spring, while significant at the time, have not altered significantly and have lost much of their significance since then. The lack of political thought that recognizes the significance of women's and young people's participation in decision-making and state building is a major factor in why no one has profited from their vision and abilities. Women in Arab Spring nations did not have a voice in official institutions, but they did use a variety of modes of expression, including marches and organization, to gain wider political freedoms during the upheaval. Laws and societal standards that are biased against women are the foundations of injustice, violence, and sexist gender roles and expectations. There was a call for stricter laws from many groups.

Islamist and secularist discourses, which are founded on fundamentally distinct frames of reference, are both enmeshed in the discussion of women's place in society following the uprisings. In discussions on women's rights, Islam has been used as an example of a religion that has differing standards for how it treats males and females. By contrast, nonreligious groups rallied around a message of universal human rights, which holds that all individuals should be treated equally regardless of their gender. Human rights, human dignity, values of tolerance, economic and social justice, moral rules of fair political conduct, and the teachings and beliefs of Islam's gender activists have all been affirmed as being consistent with each other. When it came to issues affecting women, feminists from the two major ideologies were at odds with one another.

The key issues preventing advancement in the Arab area include the absence of women's rights, political freedom, and education in Arab nations such as Tunisia, Egypt, and Libya. Because of pervasive societal policies and gender-based practices, women are routinely denied the basic human rights of education and health care. All other socioeconomic gaps between the sexes have likewise widened because of the gender imbalance in schooling.

Many family law laws work against women's interests even if they are meant to govern important areas like marriage, divorce, inheritance, custody, and citizenship. Noncitizen males and females receive unequal treatment. Some decisions a woman makes in her life require the approval of her male relative, which is against international human rights norms. Family law, bodily autonomy, economic opportunity, and political representation are just a few areas where women continue to face disadvantages. Just passing laws to remedy gender inequality was insufficient.

There has been no special focus on passing laws to ensure the rights and equality of women. The age of marriage, law has established all divorce laws, and fundamental rights, but their implementation has been patchy, prompting women to take to the streets and try to effect change on their own. The problem of women's under-representation at the helm of organizations has not been resolved. There are no quotas or other specific mechanisms to assure fair representation for women in parliament, thus it is not obvious how this will be done even though the required steps have been taken. Female activists in Tunisia, Egypt, and Libya began to hope for roles in the succeeding political shifts after the Arab Spring. The arguments against women's participation in politics began to crumble as the process progressed.

The protesters have been repeatedly ignored because they are seen as symbols of devalued femininity and are therefore prevented from rising in political power. Women's activists have sometimes been viewed negatively by society as representatives of a radical, Western-style feminist ideology that is either mentally unstable or unpopular with the masses. All three regimes have chosen gender-based violence as an effective means of controlling protests and restraining more organized movements for women's rights in their nations. State-led gender-based violence has

been committed against women in Tunisia, Egypt, and Libya. Governments, it has been confirmed, may be dictatorial and repressive towards women. After 2011, there was a dramatic decrease in women's access to justice in Arab countries. Even though they face obstacles in getting their voices heard and enjoying their fundamental rights, women have continued to fight against discrimination and harassment in the lack of access to justice.

Is it possible that the riots of 2011 altered the way women were talked about and what they experienced as a result? To what extent do you think women's rights problems have been brought to the forefront of political debates in Tunisia, Egypt, and Libya despite the fact that these countries' women have not yet achieved full emancipation despite making substantial contributions to their countries' liberation? To a significant extent, women have been overlooked along the borders of Tunisia, Egypt, and Libya. It was especially startling given that the motivation behind these protests was a desire for things like respect and equality. The riots gave the locals a sense of empowerment, as though they could now shape their own political and economic future. Nonetheless, women have not benefited equally from these developments. Activist women were shut out of the political process and their voices were stifled after playing a key part in the initial phase leading to the overthrow of their despotic leaders. Changes in the status of women are a strong emblem of democratic progress and pluralism. Despite initial successes, women in these three nations began to lose the battle to transform their ideas into political power and maintain the same level of active participation they had at the outset.

Domestic abuse, Female Genital Mutilation (FGM), honor killing, and child marriage are only some of the traditional and established societal practices that have harmed women in Tunisia, Egypt, and Libya. Although FGM is illegal in Egypt, this has not been successful in eliminating or even significantly reducing the practice, which is observed to be among the highest in the world. There is a paucity of prosecution and punishment for perpetrators of violence against women, and it is clear that in virtually all Arab nations there is no special law protecting women against violence and violence against women.

Protesting women in Tunisia and Egypt have called into question the legitimacy of the authoritarian governments there, leading to an increase in state-initiated acts of gender-based violence. In both Tunisia and Egypt, security forces have ramped up their harassment of politically and publically engaged women, including the use of sexual assault. Its policies have included assaults on, and exploitation of, women, which have harmed their self-esteem and diminished their value as citizens. Many Libyan women have left the country because they are afraid of being raped. The majority of the female refugees who fled Gaddafi's army in Libya cite sexual assault as the reason they left their homes. Another issue brought up by these interviews is the repercussions of sexual violence, such as the killing of rape victims by male family members in an effort to restore family honor and the subsequent killing of female relatives by some males in an effort to prevent further rape.

The dictatorship has emphasized the efforts of women's organizations to offer alternative female role models in response to the rising prominence of secular opposition in Tunisia and Islamist parties in Egypt and Libya. Each of these three regimes has responded in its own unique way to the many hegemonic male discourses that have been put forward by their rivals. It was Ben Ali's hope that granting Tunisian women more legal protection would make them more loyal to secular male collectives, whereas in Egypt and Libya, women's rights were actively eroded. As the political climate shifted in Egypt between Mubarak and the Islamic groups, the ideals associated with femininity became jumbled. There has been a concerted effort by the Libyan dictatorship to change the way women are treated in the country's traditional family and clan structures and to bring them directly under the state's control. It is clear that social discrimination poses no threat to the hegemonic masculinity and legitimacy of the regime in any of these three countries because the impact of such practices on women's status in family law or on their own opponents of social discrimination has remained sufficiently diffuse and small.

Women's experiences in the political shift during the Arab Spring were varied. Although the democratic revolution has produced some legal gains for women's political rights as voters in free, multi-party elections, it has fallen short in its promise to ensure that women's voices are heard and their issues addressed.

During the Arab Spring, women's activists confronted a climate in which their already limited social and political rights were increasingly called into question. Women in Tunisia, Egypt, and Libya were not willing to give up their rights to protection in return for bonuses in the country's economic growth or social development initiatives because of the countries' similarly dire economic situations.

The election results in Tunisia, Egypt, and Libya showed that the status or progress of women did not significantly influence voters and was won by candidates regardless of their stances on women's issues. This was true even though there was a high turnout of elite female voters and some progress in women's political advancement in these countries. However, despite the establishment of democratic rule and open voting in these countries, women's rights and social standing have not always improved. The patriarchal nature of Arab society and the ongoing violations of women's rights contribute to ongoing gender injustice and inequality.

The study found that the mental, emotional, social, and financial costs of war and armed conflict are disproportionately borne by women and children. There is no denying the fact that wars cause serious injuries and diseases, with the worst cases sometimes being deadly. Women and children suffer physical injury in many forms during conflict, including but not limited to homicide, wounding, sexual harassment, and other acts of brutality. Many women, especially in the Middle East where armed conflicts are common, face threats to their safety, including being searched, insulted, humiliated, kidnapped, trafficked, exploited, raped, forced to have unwanted pregnancies or aborted; suffering a decline in health, especially if pregnant; seeing their health care facilities destroyed; and contracting diseases.

Women and children in conflict zones are more vulnerable to mental health problems because of the trauma they endure. When one spouse is lost, the remaining partner typically has to shoulder the emotional and financial demands of the family alone for a long period. Because of sieges and restrictions that limit travel and dampen the right to education by making it dangerous to attend school or university, these conflicts can also have a negative social impact on the lives of women and children, particularly women, by putting them at risk of being uprooted, forced to seek asylum, and seeing their families split up geographically.

In times of war, women and children often suffer more economically than men do. This is because poverty and the loss of a livelihood source are disproportionately harmful to women and children, increasing their risk of hunger and joblessness. Moreover, the government can seize other assets, including farmland, from a family that has suffered the loss of a breadwinner. Wars and violent conflicts can negatively affect women politically because they might discourage them from taking part in governance. During times of conflict, women's attention is often divided between caring for their families and protecting themselves from further repercussions. This could reverse the progress women may have made politically and socially before the crisis. Women's rights and equality are further undermined by agreements and conferences reached between warring parties during times of conflict.

CONCLUSION AND RECOMMENDATIONS

This study demonstrates that international humanitarian law (IHL) addresses the needs of women and children during armed conflict. Nevertheless, it is only by real practice and respect to the wording of the Convention in the IHL that these demands may be met and women and children protected in circumstances of armed conflict. Therefore, the norms established in these contracts should be observed and implemented without giving rise to new legal laws. In light of our findings, we propose the following changes. Legal protection for women and children can be found in the scope of international humanitarian law. Taking greater care to protect women and children in international armed conflict within the framework of the general and specific provisions of the Fourth Geneva Convention of 1949 and the Two Additional Protocols of 1977 can help to ensure that they receive greater protection during times of conflict. The appropriate organizations must do the following if the goals of these global activities are to be achieved. The state and armed groups should use all available methods to help national organizations working to reform local laws to the point that being recruited into the military or fighting in a war requires you to be at least 18 years old. Thus, we should do everything possible to raise the age at which children are fully protected to 18 years old.

The language of Article 14 of the Fourth Geneva Convention has to be revised so that it not only encourages but also obligates the warring parties to establish a buffer zone for the simple reason that the most effective measures for shielding civilians, especially children, from harm during war. They are all outlined here in order to keep the children's physical and mental well-being in check during exile. As stated in Article 78 of the First Additional Protocol, a child's physical and mental wellbeing must be considered while making the decision to exile them. The legislation and the facts of this case suggest that a blanket ban on the recruitment of women and children under the age of 18 should apply to both mandatory and optional military service, both direct and indirect involvement in acts of violence, and all minors under the age of 18. Increased scrutiny should be given to the recruiting of women, including the possibility of their enlisting voluntarily. The International Committee of the Red Cross (ICRC) should take the lead in educating

all parties to a conflict on the IHL and educating combatants on the dangers and different types of sexual crimes, with a focus on preventing sexual violence. The norms of international humanitarian law should be broadly shared. This is an absolute requirement that all states must meet. For this reason, it is crucial for nations to include the idea of women and children's rights in their own domestic legislation.

There should be a concerted effort to educate all segments of society, beginning with the youth, on all the decisions made by IHL to safeguard women and children. In order to promote scientific research and symposiums at universities and specialized institutions and to increase awareness among women, children, and youth in general, it is important to launch campaigns in high schools and similar schools, orphanages, children's clubs, and other places. The efforts should be made to reduce the stress placed on international organizations and commissions, to eliminate the need for two sets of rules to apply to humanitarian crises on a global scale, and to develop a final formula. This endeavor calls for a serious worldwide effort to fight for the humanitarian cause. Light weapons should not be traded, and nations in the epicenter of armed conflict should be denied access to them. Professional work programs should be developed to increase awareness and educate women and children who are under severe strain because of violent situations. Field studies of international and national dynamics that give birth to armed wars are necessary to support legislation that safeguards women and children during times of peace.

The following are important actions that should be taken: There is a need for a strategic plan that provides a blueprint to implement standards and affirmative action. This plan should include both the actions necessary to implement these standards and those that are not necessary. It should also include clear steps to achieve gender parity in all situations. If this plan is not prepared, there will be no way of knowing how much needs to be done by each actor or whether enough resources are being allocated. There is a need for a monitoring system to evaluate the implementation of these standards. This will help make sure that the international community, states and civil society are fulfilling their obligations. Without consistent monitoring, it will be very difficult to keep track of progress and make any adjustments as necessary.

There is a need for training programs and exchange visits that would help increase the capacity of states that have ratified these standards so they may implement them. There is a need to create "liaison offices," which would be able to provide technical assistance and counseling. Our study recommends that women and children receive rights and legal protection on a national level. The role of women, children, and youth in armed conflicts has not been widely covered in the past, but this has been changing over the past few years. Several organizations, such as UNICEF, Save the Children (SOS) and UN Women, created a working group specifically for this issue. This work group is aimed at making sure those women, children, and youth are provided with rights and legal protection in every form of armed conflict.

There are many obstacles stopping the United Nations from acting in a similar way to these organizations. Although the Convention on the Rights of the Child is a model for other countries to follow in implementing this protection, it does not always apply to women and children in armed conflict because everything is different for them. For example, children are usually not allowed to be involved in fighting and are instead encouraged to stay out of harm's way. Women are treated as the property of their husbands and are forced to do whatever they demand of them. This can include being forced to leave their home in an effort to keep fighting out of their community. Women and children who have been displaced receive little recognition in the laws that have been set up to help protect them even though they face this issue more than they face men. In addition, there is a lack of support for women and children. Many organizations are involved in putting an end to this war, but they do not include women and children who have been affected by it. There needs to be a global approach and a strong role for women, children, and youth in these efforts.

The United Nations Security Council has made an effort to try to help prevent the use of child soldiers during wartime, but they have not been successful in modifying their laws so that they correspond with other laws. Instead, the U.N. Security Council should look to other organizations that have put forth efforts to achieve similar goals. If the United Nations only looks back at previous efforts, then

they will continue to fail in creating a more peaceful world and will not be able to provide the support that women, children, and youth need.

Child soldiers have the potential to be extremely detrimental to society. They deeply affect their communities, both physically and mentally. They can become either a detriment or an asset to society, depending on how they are treated upon their return from war. International law is essential in helping manage this problem and providing long lasting consequences for those who have committed these atrocities. By including women, children, and youth in these laws, they are provided with a more secure environment. As can be seen, women, children, and youth do face bigger challenges when compared with men in armed conflicts. They do not receive any type of legal protection and are constantly targeted for forced labor and the sexual exploitation of children. In addition, these laws do not provide the same level of protection to women, children, and youth in armed conflicts as they do to men. These issues must be addressed on a global scale if we are to expect an end to war.

Another recommendation of our study is that the United Nations Security Council should utilize Security Council Resolution 1325 for its concepts of women, peace, and security. This resolution gives support to women's efforts in peacekeeping missions and provides a framework for future conflict prevention, post-conflict peace building, and rehabilitation. Women are needed in UNSCR 1325 to provide their point of view on how conflicts should be handled. The UNSCR is also needed for its push for gender equality, which helps to create a more stable world and gives women the ability to speak out about the issues that are important to them. This will help with conflicts in the future. The international community must encourage countries that have ratified UNSCR 1325 to follow through on it by setting standards and making sure, they achieve those standards. There is an effort to create a monitoring mechanism, and if that can be added to this resolution, it will help make sure the international community is really putting forth an effort to make sure women are given all the rights and legal protection that they deserve.

The mission and mandate of the United Nations are to provide support for all nations to live in peace with each other. The UNSCR has made an effort to bring

more women and children into their efforts in order to help this mission come closer to reality. However, they have not been able to do this, mostly because of how their laws restrict women. By using the U.N.'s own laws to protect women, children, and youth from violence, they will be able to reach their goals and help create peace for all.

Women and children have struggled for rights for centuries because of their lack of legal protection and ability to speak out about problems that affect them. The Convention on the Rights of the Child helps to create a more peaceful world by acknowledging that issues that disproportionately affect women, such as gender inequality and violence, are important and need to be addressed. This recognition is an important step towards creating a more just and equal society for all. However, it still does not provide legal protection to women and children. The U.N. Security Council is in a better position to create laws that protect women, children, and youth because they have the ability to make changes based on their own laws as opposed to laws being made specifically for them. If they were able to draft an additional protocol that included women, children, and youth in the U.N. Security Council, they would be able to make better decisions because of the experiences that they have had in their communities. The legal protection that children receive is important because it helps them develop and become more independent. Children are taught how to survive in these situations, and they learn how to deal with conflict. If these children were not provided with protection, then there would be negative impacts on the future development of the world. Women are in an ideal position to provide protection for children because they have been through these same experiences and know what it is like. As a result, their knowledge can help them deal with the issues better and create less conflict in the future.

An additional protocol for children could help provide a better education for them because it can focus on empowering them through their experiences rather than pitying them. Although the U.N. Security Council may not be able to make changes to other countries' laws, they do have the power to encourage other countries. If the U.N. Security Council would create a protocol that included children, they would be able to encourage other countries to give children equal rights and better legal protection. This will help them deal with conflict in the future because they will be

able to depend on their own thoughts and opinions as opposed to what others have told them.

The education of women and women's rights are also important issues for creating a more peaceful world. Women are taught to be respectful, which leads to less conflict in their communities. They are not taught the same lessons that men are, which have been shown to be very effective in preventing conflicts. If women were given more respect, they would be able to speak out about the issues that they feel uncomfortable with or that can create conflict for others.

The Convention on the Rights of Women is a step in the right direction for protecting women's rights because it recognizes their importance in society and gives them equal rights with men. Although this convention is important, it still does not protect women or provide them with legal rights. The U.N. Security Council could help solve this issue by making changes to its laws. If a protocol were added that provided women with equal legal protection and rights, they would be able to speak out about issues that affect them, as well as children and youth in their communities. It would also prevent these issues from being repeated because they would have the ability to stop them when they begin.

The United Nations has been able to encourage other countries to make changes in their laws due to their support of the U.N.'s fight against violence against women and children. However, they have not been able to encourage them enough because of the restrictions that they have placed on women and their lack of involvement in the treaty creation process. Many countries have been able to make more changes to their laws because of the UNSCR and its support of women. If the U.N. Security Council got involved, they would be able to influence lawyers in other countries and help facilitate changes that are more effective in their laws. The U.N.'s involvement would also allow them to increase their peacekeeping forces so that there is more support for the future of a safer world.

Future studies should examine the status of women in the Middle East, their participation in the political process, their rights to education and access to health care and services, their growing vulnerability because of armed conflict, and the measures taken by governmental institutions to protect them. Continuous contact with existing forums is required to conduct this type of study. These should include associations for women's issues, medical associations and centers for health care, local NGOs working on children's protection, and international organizations like UNICEF. In addition, it is necessary to contact community-based organizations, coordinating committees for women and children's rights, international members of parliament, lawyers, and activists working for equal rights for women and children. Additionally, there are many experts currently living or working in the Middle East who could offer valuable insights into the situation of women and children in the region.

The study should be conducted with the cooperation of the governments in the countries of the Middle East and North Africa. The study should include both qualitative and quantitative approaches. Possible sources of data:

- Statistical Data: Information from statistical agencies and data banks can provide information on women's status in a given country.

- International Organizations: There are international organizations that work in this area, such as the United Nations Development Program (UNDP). The UNDP's Women and Development Department publishes detailed reports on the status of women in various countries, including those in the Middle East.

- People: Someone with a big network could get information from someone who knew someone in a certain area. They could then go out and contact them.

- Journalists: They should be able to find experts and people who know firsthand about the situation of women and children and gather information from them. Similarly; they can approach government agencies engaged in the issue of protecting women and children's rights or try to reach out to individuals who are better informed than they are. In addition, they can test their sources' skills by forming a broad network through e-mail.

- NGOs: They will be the main source of information regarding victims and those harmed by armed conflict.

- Women's Groups: Geographic Information Systems (GIS): Geographic Information Systems (GIS) is a system capable of successfully combining direct and indirect data to present information that is clear and easily understood. Social networks can bring people together to work on a certain project or topic. They are a useful way to distribute information as well as raise awareness.

- Community Groups: Community groups can be helpful in gathering information on women and children's issues and allowing the researcher to gain access to people who may not want to meet a stranger.

In light of their vulnerable situation, it is necessary to pay attention to protecting women and children during armed conflicts. A network should be established to support the protection of these people and to provide information on the primary causes of war and violence. It is crucial for nations to include the idea of women and children's rights in their own domestic legislation. The norms of international humanitarian law should be broadly shared. The education of combatants on the dangers and different types of sexual crimes, with a focus on preventing sexual violence, should be an absolute requirement for all states.

The obligations imposed by international law entail obligations that are not only the responsibility of states but are also shared by other actors in a number of ways. There is a greater obligation on states in their relations with women and children, and civil society must participate in sustainable development for all. The minimum standards set out by the UN are not being implemented due to various reasons. The most important factor is that these standards do not include the voices and visions of those who will be affected, such as women and children. There are those who are opposed to these standards for reasons regarding human rights, culture, religion, and national sovereignty. In order to have agreements that will have an impact on peacekeeping missions, all actors involved must be involved in the process. In addition, many actors are not involved in the process, such as academia and other organizations. There is a need to refine these standards with their input.

There is an urgent need for international legal proposals that have the support of all major actors, in particular those of civil society. For example, the UN's Human Rights Council must elaborate upon the international legal framework on these matters, and they must be based on universally recognized principles of human rights, specifically human dignity. This will hopefully help make women's rights part of state policy and eliminate violence against women.

The most important step in integrating this framework into legislation is a significant commitment from states, non-governmental organizations, international organizations, and other relevant stakeholders to advocate for its implementation. In order for this to occur, the international community must support actions that help promote women's rights. It is essential that this not remain on paper but rather be put into practice.

There is very little evidence that these standards have been implemented. It remains to be seen whether these standards will be relevant in 5 years, when the Millennium Declaration is reviewed. There has not been any legislation passed on these standards, which is an indication they are not being implemented. Many actors do not agree with these standards. The UN has made it clear that these standards will not be adopted until all stakeholders support them. Civil society is one of the main actors who do not support this framework because they feel it will lead to a redistribution of power, but this is still an important step in achieving gender equality and peacekeeping. The state must be willing to commit itself to implementing these standards.

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APPENDIX

ANNEX-1: Questionnaire

As part of my PhD thesis research at Istanbul Yeni Yuzyıl University, Turkey, we are studying "International Protection of Women and Children in Armed Conflict". We would like to take a few minutes of your time to answer the following survey to the best of your knowledge in order to obtain the most accurate and reliable results based on your experience and knowledge. Your responses are voluntary and will be kept confidential and will be used only for statistical purposes only.

This questionnaire is estimated to take 15 to 20 minutes.

We appreciate your time and effort.

Best regards,

The researcher: Adel Mohamed ALMOJAHED

I. PREVENTION OF GENDER DISCRIMINATION IN THE ENJOYMENT OF THE RIGHT TO HEALTH AND SAFETY

1. Is there is any regulations in the constitution of other legal codes which guarantee

- (Yes) the right to equal access for women and men to all forms of healthcare, at the highest available level.
- (Yes) access reproductive health services.
- (Yes) women's rights to make autonomous decisions regarding their sexual and reproductive lives

2. Are medical services related to reproductive life and/or violence against women covered by universal health coverage including the girls under 18 years old?

- Yes
- No

3. Are there any provisions which restrict women's access to health services? In particular, which:

- (No) require the consent of a male relative/husband for a married woman's medical examination or treatment or access to contraceptives or abortion,
- (No) allow medical practitioners to refuse provision of a legal medical service on grounds of conscientious objection
- (No) prohibit certain medical services, or require that they be authorized by a physician, even where no medical procedure is required.

4. Are the following acts criminalized?

- (Yes) child marriage
- (No) home births with an obstetrician or midwife
- (Yes) abortion

5. Does your country have regulations (in the constitution)?

- (Yes) Special protection against gender based violence
- (Yes) Equal access for women to criminal justice

6. Are the following acts criminalized?

- (Yes) adultery
- (Yes) prostitution
- (No) sexual orientation and gender identity
- (Yes) violations of modesty or indecent assault (e.g. not following dress code)

7. Are there any provision in criminal law that treat women and men unequally with regard to:

- (No) Procedure for collecting evidence
- (No) Sentencing for the same offence, especially capital punishment, stoning, lashing, imprisonment, etc.
- (No) So called "honor crimes" (are they tolerated in order for the perpetrator to avoid prosecution or to be less severely punished if the woman is killed?)

H1: There is gender discrimination in practice in the area of health and safety

II. Diagnosing and counteracting possible gender discrimination in practice in the area of health and safety

8. Are there legal obligations to provide health education in school?

- Yes
- No

9. Are there any statistical data disaggregated by age and/or gender (collected over the last 5 years) regarding:

- ( ) malnutrition
- ( ) maternal mortality
- ( ) maternal morbidity, including obstetric fistula
- ( ) health consequences of physical, psychological, sexual and economical gender-based violence
- ( ) drug abuse
- ( ) alcohol addiction
- ( ) legal abortions
- ( ) death resulting from legal abortions
- ( ) illegal abortions
- ( ) death resulting from illegal abortions
- ( ) use of contraceptives, including mechanical and hormonal (including emergency contraceptives)

10. Are there any statistical data and/or estimations regarding the number of reported and/or unreported cases and convictions for:

- ( ) female genital mutilation
- ( ) illegal voluntary abortion
- ( ) forced abortions
- ( ) malpractices in cosmetic medicine

- ( ) obstetric violence

11. Is the gender perspective included in national health-related policies:

- Yes ( )
- No ( )
- 12. Are there any national policies regarding women safety in public spaces? Yes ( ) No ( )

13. Have there been any public opinion research polls on the fear of crime among women and men (over the last 5 years)?

- Yes ( )
- No ( )

14. Are there any measures and programs undertaken in order to increase women's safety e.g. in public urban spaces, in public transportation, etc.?

- Yes ( )
- No ( )

15. Are there any statistics on crimes amounting to violence against women in public spaces and/or domestic violence?

- Yes ( )
- No ( )

16. Is the gender of the victim reflected in the police, prosecutors and courts records?

- Yes ( )
- No ( )

17. Are there any data and/or results of research on the detrimental influence of the feeling of insecurity and unsafety on women's mental health?

- Yes ( )
- No ( )

18. Are there specific health and safety protective measures for women, and/or with special provisions for mothers with young children, in "closed" institutions including in:

- ( ) prisons
- ( ) police detention cells
- ( ) psychiatric hospitals,
- ( ) pre-deportation centers,
- ( ) camps for displaced women and families
- ( ) women's shelters

19. Are there specific training programs for medical and legal professionals on the issue of gender-based discrimination in the area of health and safety?

- Yes ( )
- No ( )

III. Could you please indicate any legislative reform, policy or practice, that you consider "good practice" regarding health and safety for women in your country?

H3: There are legislative reform, policy or practice regarding health and safety for women in your country.

IV. physical violence against children

20. Pushed, Grabbed, or kicked you

- Yes
- No

21. Hit, beat, or spanked you with a hand

- Yes
- No

22. Hit, beat, or spanked you with a belt, paddle, a stick or other object?

- Yes
- No

23. Choked you, smothered you or tried to drown you

- Yes
- No

24. Pulled your hair, pinched you, or twisted your ear?

- Yes
- No

24. Locked you up in a small place, tied you up, or chained you to something

- Yes
- No

25. Making you stay in one position holding a heavy load or another burden or making you do exercise as punishment?

- Yes
- No

H4: Children expose to various types of violence during childhood

V. sexual violence against children

26. Approached or spoken to you in a sexual way or wrote sexual things about you

27. Made you watch a sex video or look at sexual pictures in a magazine or computer when you did not want to

28. Made you look at their private parts or wanted to look at yours

29. Raped or forced you to have sexual intercourse

30. Forced you to consent to marriage or consensual union

H5: Children exposed to various types of sexual violence during childhood