

Policy Brief

The Global Treaty for the Absolute Protection of Children from Warfare

Proposed by
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1. Introduction

Children are the most vulnerable members of society, yet they continue to be disproportionately affected by war. Armed conflicts disrupt their education, health, and security, with long-term consequences for societies worldwide. While existing international laws provide some protection, they fail to prevent wars from being waged against nations where children reside.

The Rufina Children's Foundation proposes The Global Treaty for the Absolute Protection of Children from Warfare, a legally binding international agreement ensuring that the presence of children serves as an absolute barrier to war. This treaty establishes a new international legal framework that prohibits military aggression against any country where children are present, making such acts criminally prosecutable.

2. The Urgent Need for This Treaty

Children as war's silent victims

- At least 468 million children live in conflict zones globally (UNICEF, 2023).
- Over 100,000 children have been killed or maimed due to armed conflict in the past decade (Save the Children, 2022).
- Millions face displacement, starvation, lack of healthcare, and recruitment into armed forces.

Limitations of existing international law

While frameworks such as the Geneva Conventions, the UN Convention on the Rights of the Child (CRC), and the Rome Statute of the ICC prohibit attacks on civilians, they:

- Do not prevent war from being declared in areas where children reside.
- Lack enforcement mechanisms strong enough to deter military aggressors.
- Do not criminalize waging war itself against a child-occupied nation.

A New Legal Standard: Absolute Protection of Children from Warfare

This treaty closes these gaps by establishing a non-negotiable legal principle: no country can wage war against any nation where children reside, with even a single child serving as a deterrent.

3. Key Provisions of the Treaty

1. Absolute prohibition of war against nations with children.
 - No nation, military force, or non-state armed group shall initiate armed conflict against any country where children reside.
2. Criminal accountability for violators.
 - Military leaders, policymakers, and commanders who violate this treaty shall face prosecution by the International Criminal Court (ICC).
3. Mandatory peaceful dispute resolution.
 - All inter-state conflicts must first be addressed through diplomatic, legal, and non-violent mechanisms before any military action is considered.
4. Creation of Child Protection Zones (CPZs).

- Governments must designate legally protected areas where children and families reside, ensuring they remain off-limits for military action.
- 5. International sanctions for treaty violators.
 - The United Nations Security Council (UNSC) and other governing bodies shall impose diplomatic, economic, and legal sanctions on violators.

4. Global Implementation & Enforcement Strategy

United Nations General Assembly & Security Council

- Formal recognition and ratification of the treaty as an international legal standard.

International Criminal Court (ICC)

- Amendment to the Rome Statute to classify war against nations with children as a war crime.

Regional & National Endorsement

- African Union (AU), European Union (EU), ASEAN, and other global entities to incorporate the treaty into their legal frameworks.

Global Advocacy & Civil Society Engagement

- Support from UNICEF, Amnesty International, Save the Children, and Human Rights Watch to mobilize global awareness and action.

5. Call to Action

We urge governments, international organizations, and global humanitarian leaders to:

- Endorse and ratify The Global Treaty for the Absolute Protection of Children from Warfare as a binding international agreement.
- Advocate for amendments to the ICC Rome Statute to classify violations of this treaty as a crime against humanity.
- Support the establishment of Child Protection Zones (CPZs) to safeguard children in all conflict-prone regions.

Conclusion: A World Where War Can Never Touch a Child

The Rufina Children's Foundation calls upon world leaders to take decisive action. The protection of children must be non-negotiable, and their presence in any country must serve as a deterrent to war. This treaty is not just a legal document—it is a moral obligation.