

Editorial statement on violence against children and call for a ceasefire in Gaza

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In 1923, Eglantyne Jebb, drawing on the Children's Charter produced by the British organisation Save the Children, drafted a five-point text to draw the world's attention to the plight of the many children who were victims of the First World War and to promote international legislation to protect their rights from now on. This text was adopted unchanged by the newly formed League of Nations just one year later in what became known as the Geneva Declaration.

In 1959, the United Nations General Assembly adopted a new, expanded Declaration, the eighth principle of which stated that "the child shall be the primary beneficiary of protection and assistance in all circumstances".

Finally, in 1989, the Convention on the Rights of the Child was promulgated and signed by every country in the world except the United States. Article 38 of the Convention states:

States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts that are relevant to the child.

In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

This progressive effort to protect children from the violence unleashed in any armed conflict has not succeeded, over time, in preventing them from continuing to suffer its effects, being as they are the weakest segment of all populations. To cite some of the most recent cases, we recall the displacement of 3 million children in Sudan, the 700,000 abducted and hundreds killed in Ukraine, and the 12,300 killed in Gaza, a figure that exceeds the total number of children killed in wars around the world in the last four years¹.

The new sociology of childhood, as well as the new childhood studies, began to see the light of day in the same decade of the 20th century in which the Convention on the Rights of the Child was debated and agreed at the United Nations. It can be said that both were influenced by the current in favour of recognising children and adolescents as full citizens and subjects of rights. Thus, it is not uncommon to find mentions of the Convention in articles received both in our journal and in other journals specialising in this field.

For this reason, the editorial board of *Sociedad e Infancias* has deemed it necessary to publish this statement, adding our voice to that of numerous academics who have denounced the systematic violation of children's rights from the perspective of the Convention to which Palestine and Israel are signatories. We believe that Israel has an obligation to uphold its commitment to human rights and that the international community must enforce the norms of international humanitarian law that are currently being ignored.

Because the Israeli war on Gaza and other acts of violence violate not only the UN Convention on the Rights of the Child, but also the following aspects of international law directly related to children's rights²

- The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and its Additional Protocols, which provide for the care and protection of children, including their rights to "their cultural environment, their education and the exercise of their religion (GCIV Arts. 24, 50)" and specifies that:
 - o "Children shall be accorded special respect and shall be protected against any form of indecent assault. The parties to the conflict must provide them with the care and assistance they need, whether because of their age or for any other reason (API Art. 77.1).
 - o Pregnant women and newborn babies fall into the category of "wounded persons" and therefore benefit from the same protection provided for the wounded and sick under humanitarian law (API Art. 8). 8).

1 <https://es.euronews.com/2024/03/13/el-numero-de-ninos-muertos-en-gaza-por-la-guerra-y-el-hambre-alcanza-cifras-aterradoras#:~:text=El%20gr%C3%A1fico%20muestra%20que%20el,ha%20superado%20los%2012.300%20ni%C3%B1os.>
2 <https://www.tandfonline.com/doi/full/10.1080/14733285.2024.2316752>

- o In the distribution of relief supplies, priority shall be given to persons who should receive privileged treatment or special protection, such as children, pregnant women, maternity cases and nursing mothers (GCIV Arts. 38.5, 50; API Art. 70.1).
 - o In besieged areas or occupied territories, States Parties to the Conventions must allow the free passage of all essential food supplies, clothing and medicines intended for children under fifteen years of age and for pregnant and nursing women (GCIV Art. 23).
- Three of the UN's "six grave violations" (killing and maiming; attacks on schools and hospitals; and denial of access to humanitarian aid)³.

The destruction of schools also violates interrelated rights conferred by the UNCRC: the right to rest and play (Article 31); the right to freedom of expression (Article 13); the right to be free from violence (Article 19) and the right to education (Article 28).

Children in Gaza are not only harmed by direct violence, killing and physical injury, but their lives are also affected by the damage to their families and communities, the destruction of infrastructure and the resulting forced mobility to which they are subjected. The current violence in Gaza also has implications for their future. The cessation of hostilities we are calling for is not only about ending the immediate violence, but also about mitigating the lasting and disabling effects on the lives of children, their families and their communities.

We condemn the terrorist attacks by the Hamas organisation on 7 October 2023. However, we also see a blatant disproportionality in Israel's response, and maintain that this response is not and cannot be justified. The current violence in Gaza is neither legitimate nor legitimised in self-defence, but it is making life in Gaza impossible for its population. Neither Palestinian children nor Israelis are responsible for the actions of their governments. On their behalf, we call for an immediate ceasefire, so that the wounds that this painful conflict is inflicting on their lives, their physical integrity and their mental health can begin to heal. So that they can be guaranteed a dignified life in peace and freedom.

3 <https://childrenandarmedconflict.un.org/es/six-grave-violations/>