



The need for legal protection for radicalized children in Western countries

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'WE THE PEOPLE OF THE UNITED NATIONS DETERMINED TO SAVE SUCCEEDING GENERATIONS FROM THE SCOURGE OF WAR' ¹

1. Introduction

As, the UN Charter declares, one of the main goals of the UN is to prevent next generations from the tragedies of wars. To achieve this aim several treaties have already been signed. Many of them are focusing on the prohibition of children's involvement in wars. At the same time a new era has dawned, new conflicts have emerged and new tactics of fighting have appeared. However, the international community lags behind to create and design a legal framework for protecting radicalized young children's involvement in wars and conflicts. As their life is endangered they are morally, psychologically and physically utilized in these conflicts. When they have been captured, they find themselves under the domestic administration of justice.

Child soldier is not a new expression, its roots go far back into history and it has already been legally defined. Although, the term of radicalized children is a relatively new expression it lacks any legal definition. To analyze its place in legal contexts we need to compare it with something which has already been accepted legally. The two concepts, that is, child soldier and radicalized child have their similarities and differences. This study intends to offer an overview of these issues and raise the attention to the international laws which should be concentrating on protecting radicalized children before a crime happens and after it, or when they are suspected of a terrorist act².

2. Theoretical framework

The hypothesis of this article is that there is a need for legal protection of radicalized children. On the one hand they are very vulnerable and easy to radicalize them, and on the other hand they lack a legal definition. Thus it is hard to allocate and apply the

¹ Charter of the United Nations (1945)

² "any action, in addition to actions already specified by the existing conventions on aspects of terrorism, the Geneva Conventions and Security Council resolution 1566 (2004), that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such an act, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from doing any act"

applicable law. To enhance the understanding of this issue the following questions will be looked at:

- a) Who is a child soldier, who is a radicalized child?
- b) What are the similarities and differences between these notions?
- c) Which international treaties guarantee their protection?
- d) What cases can exemplify these questions? What is the punishment for them?

3. Aim

The aim of this paper is to present the analysis of a recently emerged expression, that is, radicalized children. The focus is especially put on their legal situation within the realm of the international law.

4. Methodology

To better understand the need of legal protection for radicalized children in the Western countries, the definition of child soldier and the notion of radicalized child were explained and compared. Similarities, differences and the punishment were expanded. To define them accordingly, researches, international treaties, guidelines and resolutions were examined. Regarding the two notions, cases were demonstrated to reveal the handling process in practice. Accomplished with a conclusion and recommendations to involve the radicalized children in the vast of protection.

5. Who can be considered a child soldier?

According to Geneva Convention Relative to the Protected Civilian Persons in Time of War, the Additional Protocol to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts (Protocol I), and the Rome Statue of International Court of Justice a person is considered a child under the age of 15. Nevertheless, the International Labor Organization Worst Form of Child Labor Convention declares, the child is any person below 18 years old. The Convention of the Rights of the Children is contradictory, because in Article 1, the term of child settles the age limit at 18 years, but Article 38 permits the recruitment of a child over 15 years. The Paris Principles

and guidelines on children associated with armed forces or armed groups have no legal binding but contains a holistic definition:

*“a child associated with an armed force or armed groups any person below 18 years of age is, or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys or girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes”*³

6. Who can be considered as a radicalized child?

It would be worth clarifying who can be considered as being a radicalized child. A radicalized child is an individual frustrated with his or her life⁴, going through a process of adopting extremist beliefs, accepting the use of violence (including terrorism), intending to introduce radical change to society which could involve harm on the democratic system.⁵ Not everybody who has been radicalized becomes a terrorist, but in some cases it is the ultimate consequence of the radicalization process.⁶ Peter Neumann described radicalization as “what goes on before the bomb goes off”⁷. It is a relatively new expression, (hence not juridically addressed). When addressing radicalization it is really crucial to emphasize the importance of ideology, “ideology is the bedrock and catalyst for radicalization”⁸. It is a process which is leading to generate the use of political violent extremism. They query the rule of law and disregard pluralism. There are many push and pull factors which lead the individual to radicalization and turn into a violent extremist, we could say there is a strong likelihood that extremism leads to terrorism.⁹ In terrorism, radicalization is the key element. The vast majority of radicalized children in the United

³ The Paris Principles and guidelines on children associated with armed forces or armed groups (February 2007)

⁴ There is no single reason for radicalization, it is complex. It is caused by internal and external ‘pull and push factors’ Examples for radicalization can be marginalization, humiliation, discrimination, identity problems, feels outsider. causes for radicalization- micro-level (identity problems, failed integration, marginalization, discrimination, humiliation) meso- level (wider radical milieu), macro- level (lack of socio-economic opportunities for a whole sector); Mitchell D. Silber and Arvon Bhatt: *Radicalization in the West: The Homegrown Threat*, NYPD, 2009

⁵ Dr. Alex P. Schmid, ‘Radicalization, De-Radicalization, Counter- Radicalization’ (A Conceptual Discussion and Literature Review, ICCT Research Paper, Marc 2013)

⁶ It is a four stage process, starting with the pre-radicalization, followed by the self- identification, identification ended with the jihadization.

⁷ Dr. Alex P. Schmid, ‘Radicalization, De-Radicalization, Counter- Radicalization’ (A Conceptual Discussion and Literature Review, ICCT Research Paper, Marc 2013)

⁸ Mitchell D. Silber and Arvon Bhatt, *Radicalization in the West: The Homegrown Threat*, (New York City Police Department, 2009)

⁹ Dr. Alex P. Schmid, ‘Radicalization, De-Radicalization, Counter- Radicalization’ (A Conceptual Discussion and Literature Review, ICCT Research Paper, Marc 2013)

States are highly urged to join violent organizations¹⁰. To determine the age limit of radicalized child is a more complex task, because what we have to keep in mind is the differences between the criminal justice system of each state and its minimal age limit for criminal responsibility.

In this article, I only intend to examine the case when a child, coming from a Western country, becomes a child terrorist and radicalized personality, for example, via the internet¹¹ due to the extremist consequences of radicalism. This happens in two ways, firstly, when a child leaves his/her country and travels to get in real connection with a terrorist cell, such as Omar Khadr¹². Secondly, when he/she stays at home and commits a terrorist act as a terrorist in his/her country¹³. It is, the lone-wolf type, who is radicalized without any significant personal connections and relationships. And in these cases the executive bodies are helpless and powerless. This type is a homegrown threat, working alone¹⁴, evolving two dimensions, one connection to the West and the other one is to the terrorist group abroad¹⁵. Unfortunately, there are numerous examples for radicalized children, who left their home and flew to a war-torn country. For instance: Damien (age 17) from Canada¹⁶, Zahra (age 16) from the United Kingdom, Sabina (age 15) from France¹⁷.

7. Comparison

7.1. Similarities

In the context of legal framework examining the two terms of child soldier and child terrorist similarities can be found, that give us reasons for handling the two situations

¹⁰ Özerdem, Alpaslan and Podder, Sukanya. 'Disarming Youth Combatants: Mitigating Youth Radicalization and Violent Extremism.'(2011) Vol. 4. No. 4. (Journal of Strategic Security) 63-80.

¹¹ Catherine Bott, 'Recruitment and Radicalization of School- Aged Youth'(Final Report for U.S. Department of Education, Office of Safe and Drug-Free Schools, prepared for Homeland Security Institute, 2009)

¹² <http://www.internationalcrimesdatabase.org/Case/968/Khadr/>

¹³ A person, who engaged in terrorism and commit or attempt to commit or participate in or facilitate the commission of a terrorist act.

¹⁴ Mitchell D. Silber and Arvon Bhatt, *Radicalization in the West: The Homegrown Threat*, (New York City Police Department, 2009)

¹⁵ Danieal Pisiou, *Radicalization* (The Oxford Handbook of European Islam, January 2015).

¹⁶ 'I thought it was just a phase': Mother who lost son fighting for ISIS is now working to stop the extremist group from recruiting more vulnerable young Westerners'

<<http://www.dailymail.co.uk/news/article-3045746/I-thought-just-phase-Mother-lost-son-fighting-ISIS-working-stop-extremist-group-recruiting-vulnerable-young-Westerners.html>> accessed 24 November 2015

¹⁷'Schoolgirl jihadis: the female Islamists leaving home to join Isis fighters'
<<http://www.theguardian.com/world/2014/sep/29/schoolgirl-jihadis-female-islamists-leaving-home-join-isis-iraq-syria>> accessed 24 November 2015

correspondingly. One of them is age. Age is really an important question because this is not only a number, it could be a reason for why we cannot talk about a crime. It excludes culpability, under certain age, depending on the law system of a country, they can't be held responsible. Child soldiers are considered under the MACR¹⁸ as victims without any questions. MACR is a highly uncertain number. The CRC¹⁹ encourages states to establish a minimum age of criminal responsibility, but there are no categorical international standards in this regard, only recommendations, such as the minimum age of criminal responsibility should be twelve or higher up to fourteen or sixteen²⁰, the CRC Committee determined the minimum at the age of 12. In the International Criminal Court's Statute it is a wider option, because below the age of 18 a prosecution is excluded in front of the International Criminal Court.²¹ The UN Standard Minimum Rules for the Administration of Juvenile Justice, the Beijing Rules proposes, that countries "*shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity*"²²

Sierra Leonean child combatants were not prosecuted, however the Special Court's Statute made possible to conduct the proceedings between the ages of 15-18. The chief prosecutor and the Security Council are convinced that this case should be handled differently than by applying the mechanism of Sierra Leone Truth and Reconciliation Commission.²³ Another example is the Former Yugoslavia case, where children were not prosecuted under the age of 18 either. The State Court of Bosnia imposed only educational measures for those being over 14 and who were not prosecuted by the ICTY²⁴ In practice usually child soldiers are considered victims, thus they may not face prosecution, because they are not accountable for criminal responsibilities. The main reason for this is the age which is a common parameter of a child terrorist. (Unfortunately, this is not common worldwide, yet.) During the process of becoming a child soldier there is a training where

¹⁸ minimum age of criminal responsibility

¹⁹ The Convention on the Rights of Children (New York, 1989)

²⁰ 'The minimum age of criminal responsibility' (Penal Reform International, Justice for children briefing No.4.)<http://www.penalreform.org/wp-content/uploads/2013/05/justice-for-children-briefing-4-v6-web_0.pdf> accessed 02 November 2015

²¹ Ilse Derluyn, Wouter Vandenhole, Stephan Parmentier, Cindy Mels, *Victims and/ or perpetrators? Towards an interdisciplinary dialogue on child soldiers* (BMC International Health and Human Rights, 2015).

²² The UN Standard Minimum Rules for the Administration of Juvenile Justice, the Beijing Rules (1986)<https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Admin_of_Juvenile_Justice_Beijing_Rules.pdf>

²³ Ilse Derluyn, Wouter Vandenhole, Stephan Parmentier, Cindy Mels, *Victims and/ or perpetrators? Towards an interdisciplinary dialogue on child soldiers* (BMC International Health and Human Rights, 2015).

²⁴ Hew Strachan and Sibylle Scheipers, *The Changing Character of War* (Oxford Scholarship Online, January 2015); Gus Waschefort, 'Justice for Child Soldiers?' (2010) Vol1. International Humanitarian Legal Studies 189-204

they become brainwashed. This process has similarities with radicalization, where they are implanted extreme beliefs and the need for violence. Consequences in both cases are irreversible and often we have to realize that children suffer from post- trauma. The main goal of juvenile justice system is that these children should need help for reintegration into their society and overcoming trauma. Punishment would not work. Furthermore, we have to keep in mind that radicalization often occurs in prison. The United Nations Rules for the Protection of Juveniles Deprived of their Liberty claimed to be desirable that deprivation of liberty should use ultimately.²⁵ Children sentenced and sent to prisons are exposed to a continuous risk of abuse, health related concerns and violence²⁶

7.2 Differences

It is also attempted to answer the following questions. What are the differences between the notions of child soldier and radicalized child? Why all international treaties are not applicable to child terrorism?

First of all, terrorist acts cannot be categorized as a legal war²⁷, they are not covered by the Geneva Conventions order, and terrorists mostly fall outside the international humanitarian law. Perpetrators and terrorist groups could become legitimate actors on behalf of a state and lawful combatants²⁸. Many international treaties and national laws are paying attention to create a vast guard-net to protect the youth. In the international humanitarian law where the protected person is especially important, children are under “special protection”²⁹, but even the Paris Principles and guidelines on children associated with armed forces or armed groups did not cover the ones who are associated with entities, like a terrorist group or a drug cartel³⁰. However, the Paris Principles and guidelines on children associated with armed forces or armed group contains the best interest of the child principle and the right to be released from armed forces or armed groups. It declares that children who are accused of international crimes should be considered as victims and alternative to judicial proceeding should be applied. According to the concept of the

²⁵ United Nations Rules for the Protection of Juveniles Deprived of their Liberty

²⁶ <https://www.unodc.org/unodc/en/justice-and-prison-reform/childrensvictimswomensissues.html>

²⁷ Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 12 August 1949, 3§

²⁸ United Nations Office on Drugs and Crime ‘Digest of Terrorist Case’ (New York, 2010)

²⁹ For examples in Geneva Convention IV, Additional Protocols, ILO Convention; Hew Strachan and Sibylle Scheipers: *The Changing Character of War*, Oxford Scholarship Online, January 2015

³⁰ Hew Strachan and Sibylle Scheipers, *The Changing Character of War* (Oxford Scholarship Online, January 2015).

Additional Protocols to the Geneva Conventions, being a child soldier can be lawful if the requirements³¹ are fulfilled, a child terrorist cannot be considered legal, because terrorism itself is out of law. Humanitarian law is not applicable when terrorist acts are committed in wartime either in or peacetime.³² Domestic law and human rights law are the applicable ones. A radicalized child are not engaged in wars and upheavals against state armed forces³³, they target only civilians and they fight in an asymmetric conflict. There are no clear frontiers, there are different weapons and strategies. Terrorists do not follow the rules of war. Terrorist acts are targeting civilians. These fighters cannot be considered either combatants or prisoners of war.³⁴

The international standards protecting children in armed conflicts can be found in International humanitarian law and the human right law. The International humanitarian law include the Geneva Conventions, particularly the fourth one, the Additional Protocol I. and Additional Protocol II., The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and the Security Council related resolutions³⁵. Recommendations regarding this topic are The Cape Town Principles and Best Practices and the Paris Principles as well as guidelines on children associated with armed forces or armed groups. Unfortunately, these agreements and recommendations are applicable only in case of child soldiers. The international or regional human rights conventions relating to children include the following: the Convention on the Rights of Child, Covenant on the Rights of Children in Islam, African Charter on Children Rights and welfare. All of them, prohibit the use of child soldiers.

³¹ Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict:

Article 3. " States Parties that permit voluntary recruitment into their national armed forces under the age of 18 years shall maintain safeguards to ensure, as a minimum, that:

(a) Such recruitment is genuinely voluntary;

(b) Such recruitment is carried out with the informed consent of the person's parents or legal guardians;

(c) Such persons are fully informed of the duties involved in such military service;

(d) Such persons provide reliable proof of age prior to acceptance into national military service."

²⁹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977, 48, 28 (d)

³³ An armed group has a strict line of command, has groups with headquarters and a fully functioning logistics.; ³³ Peter Marguiles, 'Networks in Noninternational Armed Conflicts: Crossing Borders and Defining "Organized Armed Group' (University, Research Paper, Roger William University) 125

³⁴ Christina Eckes: European Sanctions against Individuals: Classification and Origins, Oxford Scholarship Online, May 2010

³⁵ Security Council Resolution 1261 (1999),1314 (2000),1379 (2001),1460 (2003),1539 (2004),1612 (2005), 1882 (2009), 2068 (2012), 2143 (2014)

The only international treaty, as broad as to declare the prohibition of radicalizing children, or use them in such a manner is the ILO Worst Forms of Child Labor Convention, because it declares that all forms of work which could risk the child health, safety and morals should be eliminated.³⁶

8. What is the punishment of a child soldier and a radicalized child?

Child soldiers are protected in the international humanitarian law, in international customary law where they are indicated as protected persons in international treaties³⁷. Child terrorists have no protection, they face the same prosecution, - if they are even prosecuted, as adult terrorists it is not clear what happens, what ideology is conceived and what they are fighting for. No one knows what the consequences of their involvement may mean. There is a rising tendency for child soldiers to be seen as victims, so they should not be facing any prosecution. They should participate in rehabilitation and reintegration. ³⁸‘Youth per se bears no relationship to findings of culpability or criminal responsibility’.³⁹ However, there are many arguments about their cases. There is, for example, the binary model⁴⁰, which says that they are both victims and perpetrators.

Although, a great number of child soldiers and radicalized children are teenagers. Terry Maroney stated that a teenager is not the same as a child, but he or she is not fully responsible, it is easier to influence his/her while being less guilty compared to adults meaning that they cannot be fully excused.⁴¹ They are still children according to the CRC. The earlier mentioned Beijing rules state, that “juvenile – is a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult”

³⁶ Worst Forms of Child Labor Convention, 1999 (No. 182) Article 3, 6

³⁷ This ‘protection’ are just written documents, they still in danger, they need more protection, but at least they are mentioned in international treaties. For example: Afghanistan still handle them as adults.

³⁸ Office of the Special Representative of the Secretary General for Children in armed conflict, ‘Children and Justice during and in the aftermath of armed conflict’(Working Paper number 3, September 2011) <https://childrenandarmedconflict.un.org/publications/WorkingPaper-3_Children-and-Justice.pdf> accessed 30 October 2015

³⁹ Mark A. Drumbl, *Remaining Child Soldiers in International Law and Policy* (Oxford Scholarship Online, 2012 May)

⁴⁰ I Ilse Derluyn, Wouter Vandenhole, Stephan Parmentier, Cindy Mels, *Victims and/ or perpetrators? Towards an interdisciplinary dialogue on child soldiers* (BMC International Health and Human Rights, 2015).

⁴¹ Mark A. Drumbl, *Remaining Child Soldiers in International Law and Policy* (Oxford Scholarship Online, 2012 May)

9. Cases

In domestic penal codes if the perpetrator has a terrorist intent or there is any relationship with a terrorist organization, it will be considered as a terrorist crime with more serious punishment. In domestic juridical systems there are no separated courts for juveniles, - in some states there is no guarantee either that they will be tried by a juvenile court. Thus, they have the same prosecution as an adult despite that, they are not fully responsible for their criminal acts. For instance in the case of S⁴². 'S' was a fifteen years old boy, who was radicalized over the internet by Islamic State propaganda and he was encouraging another person to commit an act of terrorism. They were captured before they could execute their plan. He was tried at the crown court, despite his age and given life sentence⁴³. (It means he cannot be released sooner than five years)

In Omar Khadr's⁴⁴ case there was not even a trial, but he was tried by a military commission, although, the Supreme Court ruled that the Military Commission was unlawful. Omar Khadr was born in Canada and moved to Afghanistan at the age of 10. While staying in Afghanistan he was trained and joined to the al- Qaeda. At the age of 15 he was captured by the US Army and sent to Guantanamo in 2002. In 2012 he was still detained in Guantanamo, in September he was repatriated to Canada to serve his remaining eight-year sentence. He admitted his guilt, had a plea agreement and was sentenced for forty years of imprisonment. He has to serve maximum of eight years⁴⁵. This case has revealed that the applicable law is not always easy to apply.

Both cases, in my view, are inappropriate, unacceptable and a major failure of humankind. But it seems that radicalized children have been left out from the juridical framework. There is no international treaty which would guarantee special procedural rights for them. Only the CRC states that "*In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary*

⁴² Khadr Case Resources 'Anzac Day terror plot: UK teen's plan 'would have caused deaths' <<http://www.bbc.com/news/uk-34409976>> accessed 24 November 2015

⁴³ Khadr Case Resources 'Anzac Day terror plot: UK teen's plan 'would have caused deaths' <<http://www.bbc.com/news/uk-34409976>> accessed 24 November 2015

⁴⁴ 'The Case of Omar Khadr+Summary +Timeline' <http://www.law.utoronto.ca/documents/Mackin/Khadr_summary-timeline.pdf>

⁴⁵ United States of America v. Omar Ahmed Khadr' <<http://www.internationalcrimesdatabase.org/Case/968/Khadr/>>

consideration".⁴⁶In spite of the best interest of child principle, they may be charged and prosecuted as adults.

In my opinion Damien or „S” cannot be considered and treated as victims. They are fighters, but not child soldiers. They were not forced to do things. They had a choice. We should also keep in mind that they are vulnerable and manipulated children who are under the responsibility of their parents, teachers, community and country. Thus, they need protection, they have to be reintegrated and rehabilitated. They should not go through something like Omar went through.

In the UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules) and Guidelines for Action on Children in the Criminal Justice System (Vienna Guidelines) states are urged to implement specific laws and procedures regarding juvenile justice. States are called upon to try children accordingly to their age and respect all rights of the child.⁴⁷

10. Conclusion

As a matter of fact, the process of implementing and reforming state's juvenile justice system has already been started. Considering the fact that either the notion of radicalized children, or the set of meanings of perpetration of a terrorist act and the intention of committing crimes are not legally defined.

While trying to answer to the questions raised in this study I have found evidences for treating child soldiers as victims, so the best of my belief is to provide procedural guarantees for radicalized children. It has become clear that there are many common attributions between the two notions of child soldier and radicalized child. Examining the definition of radicalization, I have realized that ideology is a really important issue. However, as a matter of fact a child has no idea what an ideology means as a crucial part is missing from the definition of terrorist. So, in my view, they should not be treated as

⁴⁶ The Convention on the Rights of Children (New York, 1989) Article 3

⁴⁷ Office of the Special Representative of the Secretary General for Children in armed conflict, 'Children and Justice during and in the aftermath of armed conflict'(Working Paper number 3, September 2011) <https://childrenandarmedconflict.un.org/publications/WorkingPaper-3_Children-and-Justice.pdf> accessed 30 October 2015

terrorists. The two cases enlightened the situation could be really different, hence punishment has not to be determinate.

11. Recommendation

11.1 Recommendation 1

I would suggest disseminating guidelines for radicalized children, thus demolish all the legal barriers and extend protection for them. Children are all the same, it should not matter that they are associated with an armed forces or group or they fight under the humanitarian law. They are manipulated children and utilized by adults.

11.2. Recommendation 2

They should be legally defined, as they are neither child soldiers nor adult terrorists. The legal definition would determine who they are, also it could apply the applicable law and make a rule to punish them in an admissible way. They should have a prosecution correspondingly their age and maturity

11.3. Recommendation 3

Unconventionally, great emphasis should be placed on prevention. It is desired that all the stages and forms of radicalization has a category. Categories should be treated differently.

12. Bibliography

Catherine Bott, 'Recruitment and Radicalization of School- Aged Youth' (Final Report for U.S. Department of Education, Office of Safe and Drug-Free Schools, prepared for Homeland Security Institute, 2009)

<http://homelandsecurity.org/docs/reports/Radicalization_School-Aged_Youth.pdf>

accessed 27 July 2015.

Christina Eckes, *EU Counter- Terrorist Policies and Fundamental Rights: The Case of Individual Sanctions* (Oxford Scholarship Online, May 2010) Chapter 1.

Dr. Alex P. Schmid, 'Radicalization, De-Radicalization, Counter- Radicalization' (A Conceptual Discussion and Literature Review, ICCT Research Paper, Marc 2013) <<http://www.icct.nl/download/file/ICCT-Schmid-Radicalisation-De-Radicalisation-Counter-Radicalisation-March-2013.pdf>> accessed 25 July 2015.

Danieal Pisoiu, *Radicalization* (The Oxford Handbook of European Islam, Jan 2015).

Gus Waschefort, 'Justice for Child Soldiers?' (2010) Vol1. International Humanitarian Legal Studies 189-204.

Hew Strachan and Sibylle Scheipers, *The Changing Character of War* (Oxford Scholarship Online, January 2015).

Ilse Derluyn, Wouter Vandenhole, Stephan Parmentier, Cindy Mels, *Victims and/ or perpetrators? Towards an interdisciplinary dialogue on child soldiers* (BMC International Health and Human Rights, 2015).

<http://www.centreforchildren.be/sites/default/files/ss2015_derluyn_et_al._-

[_towards_an_interdisciplinary_dialogue_on_child_soldiers.pdf](http://www.centreforchildren.be/sites/default/files/ss2015_derluyn_et_al._-towards_an_interdisciplinary_dialogue_on_child_soldiers.pdf) > accessed 27 October 2015.

Mark A. Drumbl, *Remaining Child Soldiers in International Law and Policy* (Oxford Scholarship Online, 2012 May)

Mitchell D. Silber and Arvon Bhatt, *Radicalization in the West: The Homegrown Threat*, (New York City Police Department, 2009)

<http://www.nyc.gov/html/nypd/downloads/pdf/public_information/NYPD_Report-Radicalization_in_the_West.pdf> accessed 28 July 2015.

Office of the Special Representative of the Secretary General for Children in armed conflict,

‘Children and Justice during and in the aftermath of armed conflict’ (Working Paper number 3, September 2011) <https://childrenandarmedconflict.un.org/publications/WorkingPaper-3_Children-and-Justice.pdf> accessed 30 October 2015

Özerdem, Alpaslan and Podder, Sukanya. ‘Disarming Youth Combatants: Mitigating Youth Radicalization and Violent Extremism.’(2011) Vol. 4. No. 4. (Journal of Strategic Security) 63-80.

‘The minimum age of criminal responsibility’ (Penal Reform International, Justice for children briefing No.4.) <http://www.penalreform.org/wp-content/uploads/2013/05/justice-for-children-briefing-4-v6-web_0.pdf> accessed 02 November 2015

Peter Marguiles, ‘Networks in Noninternational Armed Conflicts: Crossing Borders and Defining “Organized Armed Group” (University, Research Paper, Roger William University) 125

United Nations Office on Drugs and Crime ‘Digest of Terrorist Case’ (New York, 2010) <https://www.unodc.org/documents/terrorism/Publications/Digest_of_Terrorist_Cases/English.pdf> accessed 05 November 2015

Legal principles and guidelines

African Charter on Children Rights and welfare

<http://www.unicef.org/esaro/African_Charter_articles_in_full.pdf> accessed 17 November 2015

Cape Town Principles and Best Practices (1997)

<[http://www.unicef.org/emerg/files/Cape_Town_Principles\(1\).pdf](http://www.unicef.org/emerg/files/Cape_Town_Principles(1).pdf)> accessed 17 November 2015

Charter of the United Nations (1945) <<http://www.un.org/en/charter-united-nations/>> accessed 18 November 2015

Covenant on the Rights of Children in Islam

[http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/3CovenantontheRightsoftheChildinIslam\(2005\).aspx](http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/3CovenantontheRightsoftheChildinIslam(2005).aspx) accessed 18 November 2015

Convention on Right of Child (1989)

<<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>> accessed 15 October 2015

Guidelines for Action on Children in the Criminal Justice System (Vienna Guidelines)

<https://www.unodc.org/pdf/criminal_justice/Guidelines_for_Action_on_Children_in_the_Criminal_Justice_System.pdf> accessed 20 November 2015

ILO–Worst Form of Child Labor Convention (1999)

<http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_ILO_CODE:C182> accessed 20 October 2015

Security Council Resolution 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 2068 (2012), 2143 (2014)

<<http://www.un.org/en/sc/documents/resolutions/>> accessed 07 November 2015

Geneva Conventions (1949), Additional Protocol I of Geneva Conventions (1977) and Additional Protocol II of Geneva Conventions (1977)

<<https://www.icrc.org/applic/ihl/ihl.nsf/vwTreaties1949.xsp>> accessed 07 October 2015

The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2000)

<<http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>> accessed 07 October 2015

The UN Standard Minimum Rules for the Administration of Juvenile Justice, the Beijing Rules

(1986)<https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Admin_of_Juvenile_Justice_Beijing_Rules.pdf>

The Paris Principles and guidelines on children associated with armed forces or armed groups (February 2007)

<<http://www.unicef.org/emerg/files/ParisPrinciples310107English.pdf><http://www.unicef.org/emerg/files/ParisPrinciples310107English.pdf>> accessed 20 November 2015

United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990)

<https://www.unodc.org/pdf/criminal_justice/United_Nations_Rules_for_the_Protection_of_Juveniles_Deprived_of_their_Liberty.pdf> accessed 16 November 2015

UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)

<https://www.unodc.org/pdf/criminal_justice/United_Nations_Rules_for_the_Protection_of_Juveniles_Deprived_of_their_Liberty.pdf> accessed 19 November 2015

Internet sources

'I thought it was just a phase': Mother who lost son fighting for ISIS is now working to stop the extremist group from recruiting more vulnerable young Westerners'

<<http://www.dailymail.co.uk/news/article-3045746/I-thought-just-phase-Mother-lost-son-fighting-ISIS-working-stop-extremist-group-recruiting-vulnerable-young-Westerners.html>> accessed 24 November 2015

'Schoolgirl jihadis: the female Islamists leaving home to join Isis fighters'

<<http://www.theguardian.com/world/2014/sep/29/schoolgirl-jihadis-female-islamists-leaving-home-join-isis-iraq-syria>> accessed 24 November 2015

Khadr Case Resources 'Anzac Day terror plot: UK teen's plan 'would have caused deaths'

<<http://www.bbc.com/news/uk-34409976>> accessed 24 November 2015

United States of America v. Omar Ahmed Khadr' < <http://library.law.utoronto.ca/khadr-case-resources-page> > accessed 24 November 2015

'The Case of Omar Khadr + Summary + Timeline'

<<http://www.internationalcrimesdatabase.org/Case/968/Khadr/>> accessed 24 November 2015