

The International Journal of Human Rights >
Volume 12, 2008 - Issue 1

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'Child Soldiers' as 'Non-Combatants': The Inapplicability of the Refugee Convention Exclusion Clause

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Pages 53-65 | Published online: 21 Jan 2008

 Cite this article  <https://doi.org/10.1080/13642980701725210>

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Abstract

There is a basis in international law to regard child soldiers (those under 18) as 'protected civilians' or 'non-combatants'. The legal basis for absolving child soldiers of all ages of culpability for international crimes is discussed with reference to their status as non-combatants. The Refugee Convention exclusion clause is found to be inapplicable to child soldiers of all ages notwithstanding the possibility of their having

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