BIZTPOL AFFAIRS

2025

VOLUME 12 NUMBER 1

2 The impact of the development of the services and IT sector in India on the country's urbanization trends and regional disparities over the past 30 years
HANNA VÁRHELYI

22 Death with dignity: a human right or crime? – Comparison of the legislation on assisted dying and palliative care in Belgium and Hungary
DOROTTYA BARJÁK

38 Empowering Through Education : An Analysis of Women's Educational Rights in Iran
DÁRIA TEREZA KHEZRI

58 Caught in Crossfires – Exploring the Tragedy of Child Soldiers in South Sudan and Uganda
VIVIEN BESENYEI

CORVINUS
KÜLÜGYI ÉS KULTURÁLIS EGYESÜLET

CORVINUS KÜLÜGYI ÉS KULTURÁLIS EGYESÜLET

corvinusculture.com

BIZTPOL AFFAIRS

Vol. 12. No. 1.

2025

BUDAPEST

Corvinus Society for Foreign Affairs and Culture

2025

© Biztpol Affairs

ISSN 2064-3152

Editor-in-Chiefs

Péter Rada, Ph.D and Péter Stepper, Ph.D

Head of the Editorial Board

Péter RADA, Ph.D.

Editorial Board Members

Tamás BARANYI, PhD; Péter RADA, PhD; István TARRÓSY, PhD;
Péter STEPPER, Ph.D

Blind peer reviewed by experts of Hungarian universities and think-tanks

Topic editors: Laura Nyilas, Simon Szilvási

Cover Design: © Tamás Oláh

Published by: Corvinus Society for Foreign Affairs and Culture

Budapest

© CORVINUS SOCIETY FOR FOREIGN AFFAIRS AND CULTURE

corvinusculture.com

ESSAY

THE IMPACT OF THE DEVELOPMENT OF THE SERVICES AND IT SECTOR IN INDIA ON THE COUNTRY'S URBANIZATION TRENDS AND REGIONAL DISPARITIES OVER THE PAST 30 YEARS

Hanna Várhelyi

ABSTRACT

Over the last thirty years, the expansion of India's services and IT sector has fundamentally reshaped the country's urbanization and deepened regional economic divides. Cities like Bangalore and Hyderabad have emerged as global technology centres, attracted investment and skilled labour, and fostered dynamic startup ecosystems. While the sector has powered GDP growth, job creation, and the emergence of a new urban middle class, it has also widened regional disparities. The paper examines the IT sector's influence on finance, healthcare, education, and manufacturing, as well as its impact on social inclusion, gender equality, and sustainability. The findings highlight the need for targeted investments in education, infrastructure, and digital skills to fully realize the IT sector's potential for inclusive national development.

Keywords*: India, IT sector, services, urbanization, regional disparities, outsourcing, innovation, employment, middle class, digital divide, gender equality, sustainability, FDI*

INTRODUCTION

Several factors contribute to India's vastness in every sense. The country is located in the center of South Asia, surrounded by the Himalayas to the north, the Thar Desert and the Arabian Sea to the west, the Indian Ocean to the south, and the Bay of Bengal, along with mountain ranges to the east. As a result of its unique geographical abilities, the country possesses an extremely rich wildlife and ecosystem. India's agriculture, industry, and society are all shaped by this diversity. Several ethnic groups, languages and religions can be found throughout the nation (Wilhelm, 2011).

With 1,4 billion people, India has been the world's most populous country since 2023. It is also the seventh-largest country in terms of land area. It overtook Japan to become the world's third-largest economy when taking purchasing power parity into account. The nation has emerged as an important global player in recent decades, and its influence on our daily lives has become obvious. As one-fifth of the world's population lives in India, more and more attention is being paid to the internal developments of the subcontinent (Wilhelm, 2022).

Since history has had a significant impact on the development of the region, it is crucial to briefly discuss India's past when examining the country's IT sector and its impact on the country's development. The Indian subcontinent has been inhabited by humans since the second interglacial era. The country has had a unique, self-directed development path from the beginning to today because of its comparatively isolated natural features (Subramanian, 2006).

The aim of this research is to answer questions about how the development of the Indian information technology sector has influenced the country's urbanization processes and regional disparities over the past three decades, with special attention to how the growth of the sector has shaped city development, infrastructure transformation, and the social and economic impacts, particularly in lower-income, rural areas.

HISTORICAL BACKGROUND

India has long been a cradle of advanced civilizations, including the Indus Valley Civilization, the Maurya Empire, and the Delhi Sultanate. Yet British colonization was the foreign influence that changed conditions in the country the most. Although Vasco da

Gama's entry in 1498 had little effect, the British East India Company's entrance was a milestone. Drawn by India's valuable goods and strategic location, the British gradually expanded their control, exploiting the region's political fragmentation and internal conflicts (Scammell, 2000). What began as trade agreements eventually evolved into full-scale political domination, significantly reshaping India's economic and social structures (Wilhelm, 2008).

The effects of colonialism were complicated and even paradoxical. On the one hand, India's physical landscape was transformed by the British, who started extensive infrastructure projects like roads, ports, and railroads. They also established the foundation for institutional government and brought western educational systems. However, these advancements were made to support the colonial economy rather than to empower Indians. In order to preserve India's position as a supplier of raw materials, industrialization was strongly resisted. Due to their inability to compete with British mass-produced goods, Indian artisans and small manufacturers were disadvantaged. India purposefully remained poor to protect British commercial interests as Europe industrialized (Ward, 1961).

Additionally, the British increased religious and ethnic conflicts by enforcing societal boundaries through their "divide and rule" policy. As certain regions, like Bombay and Madras, prospered while others remained poor and exposed to hunger and illness, geographical disparities increased. While rural communities and the growing middle class suffered widespread poverty, elites who supported colonial rule benefited economically (Xypolia, 2016).

India faced a seriously undeveloped economy after gaining independence in 1947, complete with undeveloped infrastructure and a 88% rate of illiteracy (Wilhelm, 2022). The new government selected a closed, import-substitution economy modelled after the Soviet Union because they were concerned about trade exploitation due to their past with Great Britain. Nehru's approach hindered technological innovation and competitiveness by emphasizing state control, restricting foreign investment, and limiting private enterprise. Other emerging economies, however, grew more quickly during this time (Zagyi, Kuszinger, & Wilhelm, 2021). Rajiv Gandhi carefully started the liberalization process, but Manmohan Singh's 1991 reforms were what really made India open to the world market. These included currency devaluation, deregulation, tariff reductions, and FDI promotion, which led to an increase in exports,

foreign reserves, and a contemporary financial system (Joshi & Little, 1996).

Since then, India has become one of the fastest-growing economies. Poverty has decreased and the middle class has doubled. Unlike many export-led Asian nations, the economy currently depends mostly on services, high-tech industries, and consumerism. Growth still remains unequal among regions, though, with corruption and inadequate infrastructure sometimes leaving rural areas behind. India's English-speaking, IT-skilled workforce has contributed to its rapid ascent as a worldwide outsourcing hub, garnering it the title of "the back office of the world" (Zagyi, Kuszinger, & Wilhelm, 2021).

The Evolution of India's Telecommunications and IT Sector

The telecommunications sector in India has undergone significant change and has become vital to the country's entire industrial and technological advancement. In 1851, the first telegraph link was made between Diamond Harbour and Calcutta, laying the foundations for modern communication infrastructure. In 1881, telephone services were finally introduced. However, until the early 1990s, the industry mostly stayed the same due to the state monopoly and strict controls (Sanyal, 2022).

The liberalization of the Indian economy in 1991 brought about a significant change by allowing private participation in telecommunications. This became official by the 1994 National Telecom Policy (NTP), which promoted growth and competitiveness by enabling private companies to enter the market (Wilhelm, 2022). India witnessed the first mobile phone call in 1995, just a year later, marking the beginning of a new era of connectivity (Ahmad, 2021). The government recognised the software development industry's potential at the same period. The expansion of computer-based industries was helped by policies in 1984 and 1986, which resulted in the development of early IT infrastructure and export regulations that would eventually define India's position as a global leader in IT (Sharma, 2009).

The start of the new millennium marked a turning point. The 1999 Telecom Policy significantly decreased entry barriers and increased competition by substituting a revenue-sharing model for fixed license costs. The outsourcing and IT industries grew quickly

as mobile and internet usage increased. Foreign investors were attracted to India's more open and innovative market as international companies like Infosys, Wipro, TCS, and HCL Technologies became stronger (The Centre for the Internet & Society, 2023). The 2012 strategy, which placed a strong emphasis on reliable, affordable broadband connections, particularly in rural regions, provided a further push. The National Optical Fibre Network (NOFN), which connected 250,000 villages and reduced the digital gap, was one example of this (Department of Telecommunications, 2012).

These advancements made it possible for digital payments (like UPI), e-commerce, and online businesses to be widely adopted by significantly increasing internet availability and lowering expenses. These features became available for almost every Indian resident by the end of the decade, making India a major player in the global digital economy (Kaka et al., 2019). Another significant step was taken in 2015 with the government of Narendra Modi's Digital India program, which aimed to create a society empowered by technology and a knowledge-based economy. By 2021, there were over 834 million internet users, went up from 342.6 million in 2016 (Telecom Regulatory Authority of India, 2023). India's IT sector employed an estimated 4.5 million workers by 2021, with revenues rising from just $1.8 billion in 1998 to $191 billion in 2020 (NASSCOM, 2024). Over 1,2 billion phone subscriptions were in India at the end of the 2020–21 fiscal year, with mobile services making up more than 98% of all phone subscriptions. 6,5% of India's GDP came from the telecommunications industry alone (Anbazhagan & Ganesamoorthy, 2018).

The origins of India’s IT sector can be traced back to the early 1980s when the industry was still in its infancy. Only 25 IT companies having roughly two thousand employees were present in India in 1980–81. During this time, innovative companies like Tata Infotech, Wipro, and Infosys formed. The sector expanded as a result of government reforms that cut tariffs and simplified hardware imports. India was well-positioned to take advantage of new international IT prospects by the late 1980s, with a significant number of English-speaking workers with proper training (Allad & Maisuria, 2015).

The actual breakthrough occurred after the 1991 liberalization, which encouraged international investment and offshore models. IT exports increased from 19% in 1991-92 to 69% in 2008-09. By 2000, the industry employed over 410,000 software specialists and

served over 1,000 multinational companies (Mathur, 2006). India's role in resolving the Y2K bug boosted its prestige, while the dotcom bubble crash presented unexpected challenges (Chithelen, 2004). The sector's improvement was driven by consistent government support, a time zone advantage when working with Western clients, and an increasingly trained workforce. India became known as the "back office of the world," and the IT boom fueled the rise of a new urban middle class. Many Indian engineers working in the United States have helped fill the gap between Silicon Valley and the Indian IT landscape (Allad & Maisuria, 2015). IT industry went through a period of exceptional worldwide expansion in the years after the year 2000. Indian tech companies built strong portfolios, grew globally, and did not fall below a 30% annual growth rate between 2000 and 2010. Employment grew from 340,000 to 2.3 million workers, and sector income increased from $8 billion in 2000 to $78 billion in 2010. This expansion was significantly supported by government-backed Special Economic Zones (SEZs) and Software Technology Parks (STPs) (Bhardwaj & Chai, 2023).

The era of "bimodal IT" and digital business models started in 2010, when the industry further expanded into cloud computing, artificial intelligence, big data, and the IoT (Natarajan & Jalote, 2019). Over 9% of India's GDP came from the IT sector by 2019–20, and international corporations were rapidly establishing R&D facilities in Indian cities by taking advantage of the country's thriving innovation environment. IT presence in cities like Bangalore, Hyderabad, and Pune attracted millions of professionals and supported the city's explosive urban growth (Jayswal, 2021). Bangalore's population, for example, went up from 7.6 million in 2008 to nearly 14.3 million by 2024. Delhi's population increased from 20.6 to 34.6 million, whereas Hyderabad's increased from 7.1 to 11.3 million. In addition to reflecting the sector's economic impact, this urbanization trend also portends a more profound social shift (Sobha, 2024).

Urbanization, Regional Disparities, and the Expanding Role of the IT Sector in India

India's socioeconomic development has historically been centered on urbanization and regional inequality. 36.4% of people lived in cities in 2023, and studies suggest that by 2030, this percentage

may rise to 40% (Ministry of Statistics & Programme Implementation, 2024). The urban population of India is expected to grow by around 400 million people between 2014 and 2050. Despite its potential, this growth presents several difficulties as well. Even in India's most economically developed areas, urban development is nevertheless hindered by poor infrastructure, little municipal autonomy, and a lack of skilled workforce (Bose, 2025).

The growth of megacities is one of the most visible effects of India's urbanization. At least six Indian cities are expected to have a population of more than 10 million people by 2030. Nonetheless, the country's urban growth is not homogeneous. Compared to their northern and eastern counterparts, southern and western states like Karnataka, Tamil Nadu, and Maharashtra display noticeably higher levels of urbanization and economic productivity (Ghani, 2023). Five southern states, Karnataka, Andhra Pradesh, Telangana, Kerala, and Tamil Nadu, accounted for over 30% of India's GDP in the fiscal year 2023–2024. West Bengal, on the contrary, has contributed only 5.6%, compared to 10.5% in 1960–61 (VisionIAS, 2024). The disparity is even more apparent in income differences, with Delhi's per capita income more than 2.5 times the national average. Agriculture still dominates in states like Madhya Pradesh, even though southern states lead in manufacturing and services, emphasizing sectoral groups (CII, 2023).

These regional patterns have been strengthened and, in certain situations they worsened by the growth of India's IT industry. Known as India's Silicon Valley, Bangalore has emerged as a hub for technological innovation and software exports. The city is home to several multinational corporations like Google and Microsoft, as well as major Indian companies like Infosys and Wipro. It also has a flourishing fintech, edtech, and healthtech startup scene. Both local talent and foreign investment have been drawn to it as a result of its development into a global IT hub (EMB, 2023). Similar to this, Hyderabad, often known as "Cyberabad," has developed into a significant IT hub because of strong government initiatives, modern infrastructure, and a competitive labor market. The city's increasing global status is also demonstrated by the presence of companies like Microsoft, Facebook, and Amazon, among others (Das, 2015).

Other cities such as Pune and Chennai have emerged as important nodes in the infotech landscape, especially in education, engineering, and fintech. In the Delhi region, Gurugram and Noida

have rapidly become tech and startup clusters, benefiting from their proximity to the national capital and superior infrastructure. These cities are not just business hubs but centers of lifestyle and migration, reshaping India's urban geography (EMB, 2023).

To address the issue of population and capitalize on digital development, India has established several new planned cities. Dholera Smart City in Gujarat is India's first fully envisioned smart city, twice the size of Delhi and featuring integrated industrial and residential zones as well as contemporary transportation networks (Kant, 2024). Similarly, Sri City in Andhra Pradesh operates as a private industrial zone, attracting corporations like as Colgate-Palmolive and PepsiCo. Satellite cities around Delhi, such as Noida and Greater Noida, have evolved as important residential and manufacturing hubs, with companies such as Adobe and Samsung located there. Beyond metropolitan regions, Tier 2 and Tier 3 cities such as Jaipur, Mohali, and Bhubaneswar are becoming more appealing to IT enterprises due to cheaper costs and wider talent pools. Bhubaneswar's IT Incubation Center alone created thousands of jobs (Sood, 2023).

Economic clustering is just one aspect of the urban upheaval sparked by the IT industry. India's cities are expected to produce more than 60% of the nation's GDP by 2030, and an additional 416 million people are expected to live there by 2050 (Sharma S., 2024). Important industries including manufacturing, healthcare, education, and finance are intricately linked to the IT sector. By using generative AI, IT companies have encouraged innovation in the BFSI industry, allowing for individualized financial services and advanced data analytics (Ive Botunac et al., 2024). AI-powered diagnostic technologies are increasing accuracy and efficiency in healthcare, while telemedicine systems like as Ujala Cygnus have made healthcare more accessible to rural people (Das, 2025).

IT has also affected education. More than 500 experts reviewed AI-based learning models at the 2025 TechEDU India Summit. Growing initiatives to address the digital and gender inequalities appear in Maharashtra's goal to train 10,000 women in AI. IoT, cloud computing, and artificial intelligence have all become more widely used in production as a result of Industry 4.0. Competitiveness is being increased by predictive algorithms that customize production and optimize supply chains (Datta & Kapoor, 2022). Government programs like Aadhaar (the national digital ID system) and e-governance platforms rely heavily on IT infrastructure.

In 2025, the Indian Union Budget expanded funding for the National AI Mission and created AI Centres of Excellence, further strengthening India's position as a global digital leader (Barnes, 2013).

Economic Liberalization and Government Support for the IT Sector in India

Between 1990 and 2010, India experienced an average annual GDP growth rate of 6.6%, nearly double the pre-reform period. Economic liberalization policies, which promoted greater capital inflows, lowered investment obstacles, and sparked industry modernization, were largely responsible for this substantial growth. These changes promoted foreign direct investment (FDI), made it simpler for companies to get financial resources, and improved the economy overall. Long-term benefits included technological improvement and economies of scale that increased industrial output, despite the initial difficulties faced by domestic companies due to international competition. Agriculture, evolved as well as new cultivation strategies and modern practices emerged. Liberalization also positively impacted India's stock markets, enhancing investor confidence and broadening corporate financing opportunities. However, the liberalization process came with challenges. Economic transitions triggered short-term instability, disproportionately affecting small and medium-sized enterprises (SMEs) that found it difficult to adapt to rapid technological changes. Many of these businesses collapsed or were absorbed by larger corporations, increasing market concentration and raising concerns about the sustainability of SME competitiveness (Riyas, 2022).

A major factor in India's economic change was FDI. India has benefited from about $1 trillion in foreign direct investment since April 2000. Multinational corporations (MNCs) created capital-intensive business sectors, improved technology, and enhanced worker productivity (Ministry of Commerce & Industry, 2024). Employment in manufacturing and services, especially in export-oriented companies, rose dramatically as a result of their presence . Additionally, FDI encouraged innovation and sectoral diversity by encouraging domestic companies to increase their competitiveness through cooperation or competition (Behera, 2015).

Nevertheless, MNCs have also introduced challenges. Their market dominance can suppress local enterprises, often drawing

criticism for monopolistic practices. In sectors like e-commerce, companies such as Amazon and Walmart have been accused of undermining small retailers. Additionally, MNCs frequently repatriate profits, limiting domestic reinvestment and affecting the balance of payments. Cultural homogenization and labor rights violations have also emerged as issues, particularly where cheap labor and subpar working conditions prevail. These concerns highlight the need for balanced regulatory frameworks that maximize FDI benefits while protecting national interests (Behera, 2015).

The Indian government has taken steps to strengthen the industry in response to the benefits and risks of liberalization. The creation of venture capital funds, support for private Software Technology Parks (STPs), and tax breaks on software exports were among the 108 action items set by the National IT Task Force in 1998. The creation of the Ministry of Information Technology in 1999 to coordinate IT policy across the government, academia, and industry was a significant result (Mathur, 2006).

The "Make in India" campaign is one of the most prominent initiatives to bolster domestic IT production. Supported by fiscal incentives and investment-friendly policies in the 2025 Union Budget, the government has offered complete tax exemptions for the first five years for qualifying IT firms, followed by gradually reduced tax rates. Export-oriented units also enjoy benefits such as 0% GST on IT services and the ability to claim input tax credits, improving cash flow (Press Information Bureau, 2013).

Legislative reforms have further reinforced IT development. Revisions to the copyright law now hold digital platforms accountable for infringing content and extend fair use provisions for educational and research purposes. The proposed Digital India Act aims to update digital economy regulations, especially around AI, IP rights, and innovation (Dubey, 2024).

The Economic and Social Impacts of India's IT Sector

India's Information Technology and Business Process Management (IT-BPM) sector has become a cornerstone of the nation's economy. As of the 2023 fiscal year, the IT-BPM sector contributed 7.5% to the country's GDP, with projections estimating this figure will reach 10% by 2025. The sector's total revenues reached $227 billion in 2023, reflecting a 15.5% year-on-year growth, largely driven by the spread of digital technologies and state-led initiatives such as the Digital India Program (Bist, 2018).

The IT industry contributed significantly to job creation in addition to economic output. By the end of FY2023, it directly employed over 5.4 million people. This figure is anticipated to increase, particularly in due to the growing need for modern technologies like cloud computing, machine learning, and artificial intelligence (AI). By 2025, it is expected that the number of new jobs in these industries will increase by 20% (Sun, 2022). Furthermore, the IT sector helps create jobs in related industries like e-commerce and banking. In 2023, India's software exports totaled $320 billion in foreign exchange, with the main markets being the US (54%) and Europe (31%). The growing significance of the internal market is demonstrated by the $51 billion in domestic IT revenues (Business Standard, 2024). Socially, the IT sector has facilitated the rise of India's middle class and accelerated urbanization. Cities like Bangalore and Hyderabad have evolved into global innovation hubs, and the urban middle class now comprises nearly 40% of the population as of 2024. This demographic is increasingly driving demand for branded goods, digital services, housing, and education, transforming India into one of the world's fastest-growing consumer markets (Venkatasubramanian, 2024).

The country has become a global leader in IT outsourcing as well. The nation is predicted to produce $350 billion in outsourcing income by the end of 2025, which would represent 18% of worldwide IT outsourcing spending (ET Online, 2025). Although cost-effectiveness is still a major benefit, Indian IT salaries are much cheaper than those in Western nations, India also leads the world in technological innovation, education, and fluency in English. The country produces around 1.5 million engineers annually, feeding a deep talent pool (Kaur, 2023).

Indian IT firms are at the forefront of innovation, particularly in areas such as generative AI, blockchain, and data center infrastructure. Infrastructure investments, including 63 Software Technology Parks (STPIs) and 1,500 Global Capability Centers (GCCs), strengthen India's competitiveness. The time-zone advantage also supports 24/7 operations with Western clients, enhancing service delivery and reducing product rollout times. Globally recognized for their technological expertise and cooperation are major Indian IT firms like TCS, Infosys, and HCLTech. These companies prioritize long-term client connections while providing scalable, flexible solutions. (Patel, 2024).

A wide range of subfields are included in the IT sector, such as infrastructure management, software development, IT consulting, and systems integration. Additionally, it excels at customer care, helpdesk services, and BPO. The most specialized component is represented by knowledge process outsourcing (KPO), which includes financial analytics, legal processing, and market research. Along with payment options like UPI and Paytm, e-commerce has also expanded due to sites like Flipkart and Amazon India (Kumar, 2023). The FinTech sector is rapidly expanding, delivering services such as digital banking, online lending, and insurance through digital platforms. Technologies like artificial intelligence, big data, and cybersecurity continue to attract significant investment. Cloud computing is also becoming increasingly important in driving digital transformation. In India, institutions like the IITs and IIITs, along with companies such as NIIT and Simplilearn, play a key role in equipping professionals with the skills needed for this dynamic industry (International Trade Administration, 2024).

Despite its successes, the IT industry also brings challenges. While salaries are three to four times the national average in top firms, this applies mainly to a narrow group of highly educated professionals (Sharma D., 2024). Informal workers have seen limited benefits. The rise of gig work, remote jobs, and project-based employment offers both flexibility and insecurity Moreover, regional disparities persist. Southern and western states have benefitted more, while less-developed regions like Bihar and Odisha have lagged behind (Generation India, 2023).

Nevertheless, IT has become a tool for social mobility. Young people from rural or underprivileged backgrounds use tech skills as a springboard to middle-class status. Outsourcing, startup culture, and international projects offer opportunities for upward mobility and exposure to global markets (Majumder, 2018). Many IT workers are first-generation college graduates whose employment in this sector represents both financial and social advancement. However, their opportunities still depend on geography, access to education, and language skills (Gonsalves, 2019). To align with industry needs, India's education system is undergoing transformation. Although India graduates 1.5 million engineers annually, many lack industry-ready skills. Top institutions like the IITs offer world-class education, but rural and underfunded colleges face significant quality gaps. Initiatives like the Skill India Mission aim to upskill more than 50% of students by 2025, with a focus on AI, ML,

and cloud computing. Private firms are also contributing through bootcamps and online platforms (International Labour Organization, 2018).

Gender inequality continues to be a challenge in the IT sector. Although women make up 30–35% of the workforce, they are still significantly underrepresented in leadership positions (Fourrage, 2025). Factors such as societal expectations, limited access to mentorship, and difficulties in maintaining work-life balance hinder their career progression. While diversity initiatives are in place, women from rural areas face additional obstacles, including inadequate education and infrastructure. Furthermore, wage disparities become more pronounced at senior levels, highlighting ongoing structural biases (Dev & Kathuria, 2025).

Ecological Footprint and Sustainability Challenges in India's IT Sector

The environmental and social responsibilities of IT corporations are becoming more and more important as digital transformation speeds up. In the Indian IT industry, corporate social responsibility (CSR) is continually embracing sustainability concepts, emphasizing not only profit but also social well-being, ethical technology use, and environmental preservation (Hwang, 2024). It has been shown that businesses that place a high priority on corporate social responsibility are more likely to adopt green innovations that improve long-term profitability and environmental performance. Initiatives like energy efficiency programs, electronic waste reduction, ethical data governance, and the incorporation of eco-friendly technologies into the design of products and services are examples of how this obligation is demonstrated (Wu et al., 2024).

Nevertheless, the sector's ecological footprint has grown substantially. The energy consumption of information and communication technologies (ICTs) has increased by an average of 7% annually in recent decades. By 2012, ICT accounted for 4.7% of global energy use and 2% of CO_2 emissions, a share that may rise to 14% by 2030 due to the rapid expansion of artificial intelligence, cloud computing, and Internet-connected devices. Key contributors to this footprint include energy-intensive data centers, short-lived electronic devices, and the exponential rise in e-waste, which exceeded 53 million tons globally in 2019, only 17% of which was re-

cycled. Large AI model training puts additional strain on the environment; throughout the course of its lifespan, a single model may produce five times as much CO_2 as a car. The ICT industry provides resources for advancing sustainability in spite of these reservations. Environmental effects are lessened via the use of renewable energy, energy-efficient data centers, and circular economy techniques including prolonging the life of devices and reusing them (Adebayo et al., 2022).

Smart city initiatives offer promising innovations for sustainability. Intelligent power grids enhance energy distribution and forecast peak usage, reducing greenhouse gas emissions. Real-time data from IoT sensors optimizes energy use and transportation systems (Nikolov, 2024). Adaptive traffic lights reduce congestion and air pollution, while smart waste bins improve recycling efficiency. Air quality monitoring systems track pollutant sources in real time, enabling targeted mitigation efforts (Vinuesa et al., 2020).

CONCLUSION

India's information technology sector has played a crucial role in the country's economic growth by creating higher-income jobs and boosting social mobility. Alongside sector growth, infrastructure and education systems have improved, enabling youth access to global technology markets and energizing the economy. However, challenges remain, particularly regarding social inequalities and gender discrimination affecting women's workforce participation. This study offerred a detailed analysis of the IT sector's impact on social mobility, especially labor mobility, providing new insights on combining industry growth with more equitable opportunities that promote social justice. It highlights the links between jobs created by the IT sector and training systems, offering approaches to bridge gaps between labor market needs and education. Sustainability issues are also addressed, focusing on social responsibility and the role of new technologies in sustainable urban development, shedding light on the environmental effects of India's IT industry.

The research's scientific value lies in its interdisciplinary approach, integrating historical, social, geographic, and technological dimensions. It provides a novel synthesis by exploring social mobility processes, infrastructure and urban development trends, and shifts in regional inequalities triggered by the IT sector. Key findings show that IT growth has significantly contributed to turning

major cities like Bangalore, Hyderabad, and Pune into tech hubs, while rural and less developed states have been left behind, deepening internal social and economic divides. The analysis also reveals that IT expansion has fostered new education and training structures, strengthening the middle class and increasing female employment. These results offer the academic community fresh perspectives on the connections between the IT sector and regional development, while providing practical guidance for policymakers to promote sustainable urbanization and social equity. However, relying on secondary data limits direct measurement of local attitudes or micro-level labor mobility. Future research should include qualitative case studies to explore access to IT sectors in smaller towns and villages and the social impact of the digital divide. Additionally, deeper investigation into the sector's environmental footprint, especially data center energy use and electronic waste management, is essential.

BIBLIOGRAPHY

Adebayo, T. S., Agyekum, E. B., Altuntaş, M., Khudoyqulov, S., Zawbaa, H. M., & Kamel, S. (2022). Does information and communication technology impede environmental degradation? fresh insights from non-parametric approaches. Heliyon, 8(3), e09108. https://doi.org/10.1016/j.heliyon.2022.e09108

Ahmad, Z. (2021). TELECOM TANGLED WIRES. International Journal of Research - GRANTHAALAYAH, 8(12), 295–305. https://doi.org/10.29121/granthaalayah.v8.i12.2020.2762

Allad, I., & H. Maisuria, M. (2015). IT sector in India -Evolution, Growth and a Tool of Economic Development IDRISH ALLAD DR. MAHENDRA H. MAISURIA meaning of IT and ITeS industry, Evolution of IT sector in India, reasons for growth of IT sector in India, future threats, and contribution of IT sector in GDP of India and future development of IT sector in India. Idrish Allad / International Journal for Research in Management and Pharmacy, 4(2). https://www.raijmr.com/ijrmp/wp-content/uploads/2017/11/IJRMP_2015_vol04_issue_02_02.pdf?t

Allad, I., & H. Maisuria, M. (2015). IT sector in India -Evolution, Growth and a Tool of Economic Development IDRISH ALLAD DR. MAHENDRA H. MAISURIA meaning of IT and ITeS industry, Evolution of IT sector in India, reasons for growth of IT sector in India, future threats, and contribution of IT sector in GDP of India and future development of IT sector in India. Idrish Allad / International Journal for Research in Management and Pharmacy, 4(2). https://www.raijmr.com/ijrmp/wp-content/uploads/2017/11/IJRMP_2015_vol04_issue_02_02.pdf?t

Anbazhagan, K., & Ganesamoorthy, L. (2018). TELECOMMUNICATION INDUSTRY IN INDIA-A STUDY ON ITS TREND AND GROWTH. 6(1), 926. https://ijcrt.org/papers/IJCRT1705139.pdf

Barnes, T. (2013). The IT Industry and Economic Development in India: A Critical Study. Journal of South Asian Development, 8(1), 61–83. https://doi.org/10.1177/0973174113477000

Bhardwaj, N., & Chai, S. (2023, December 6). India's Economic Rise: Global Tech Giants Chasing Growth. India Briefing News. https://www.india-briefing.com/news/indias-economic-rise-global-tech-giants-chasing-growth-30488.html/?t

Bist, A. (2018). IT & BPM. Investindia.gov.in. https://www.investindia.gov.in/sector/it-bpm

Bose, A. (2025, January 23). Indian Urbanisation is Slowing Down: What can be Done About it? - CSEP. CSEP - Centre for Social and Economic Progress. https://csep.org/working-paper/indian-urbanisation-is-slowing-down-what-can-be-done-about-it/?t

CII. (2023, October 17). Analysing Economic Performance of Indian States. Confederation of Indian Industry. https://ciiblog.in/analysing-economic-performance-of-indian-states/?t

Das, D. (2015). Making of high-tech Hyderabad: Mapping neoliberal networks and splintering effects. Singapore Journal of Tropical Geography, 36(2), 231–248. https://doi.org/10.1111/sjtg.12112

Das, N. (2025, January 22). India's IT Industry in 2025: Growth, Trends, and Challenges. Acara Solutions India; Acara Solutions. https://acarasolutions.in/blog/indias-it-industry-in-2025-growth-trends-challenges/

Datta, S., & Kapoor, R. (2022). Clean India Mission: Building Nation through Sustainable Waste Management Practices. Vision: The Journal of Business Perspective, 27(1), 097226292211118. https://doi.org/10.1177/09722629221111841

Department of Telecommunications, Government of India. (2012). National Telecom Policy - 2012 (NTP-2012). https://dot.gov.in/sites/default/files/NTP-06.06.2012-final_0.pdf

Dev, A., & Kathuria, R. (2025, January 24). Technological advancement and employment changes: Recent trends in India. Ideas for India. https://www.ideasforindia.in/topics/productivity-innovation/technological-advancement-and-employment-changes-recent-trends-in-india.html?t

Dubey, S. (2024, February 12). Need for a Digital Copyrights Act: Adjusting to the New Normal. Law School Policy Review. https://lawschoolpolicyreview.com/2024/02/12/need-for-a-digital-copyrights-act-adjusting-to-the-new-normal/?t

EMB. (2023, November 15). Top Indian Cities Fueling Tech Revolution! EMB Blogs. https://blog.emb.global/top-indian-cities-fueling-tech-revolution/?t

ET Online. (2025, January 2). 2025 Forecast: What does 2025 hold for India's IT services sector? The Economic Times; Economic Times. https://economictimes.indiatimes.com/news/company/corporate-trends/2025-forecast-what-does-2025-hold-for-indias-it-services-sector-tech-jobs-it-hiring-it-sector/articleshow/116880465.cms?t

Fourrage, L. (2025, February 21). Getting a Job in Tech in India in 2025: The Complete Guide. Nucamp; Nucamp Vibe Coding Bootcamp. https://www.nucamp.co/blog/coding-bootcamp-india-ind-getting-a-job-in-tech-in-india-in-2025-the-complete-guide?t

Generation India. (2023, August 30). Women in Tech: The Importance of Gender Diversity in the Tech Industry | Generation India. Generation.org. https://india.generation.org/news/women-in-tech-the-importance-of-gender-diversity-in-the-tech-industry/?t

Ghani, E. (2023, December 5). The urbanisation challenge. Deccan Herald. https://www.deccanherald.com/opinion/the-urbanisation-challenge-2796855?t

Gonsalves, O. (2019, January 17). The Labor Market in India: Structure and Costs - India Briefing News. India Briefing News. https://www.india-briefing.com/news/labor-market-india-structure-costs-18264.html/?t

International Labour Organization. (2018). Emerging technologies and the future of work in India (ILO Asia-Pacific Working Paper Series). ILO Decent Work Team for South Asia and Country Office for India. https://www.ilo.org/india

International Trade Administration. (2024, September 18). India - Digital Economy. International Trade Administration | Trade.gov. https://www.trade.gov/country-commercial-guides/india-digital-economy?t

insights. GSC Advanced Research and Reviews, 21(1), 503–518. https://doi.org/10.30574/gscarr.2024.21.1.0383

Jayswal, P. J. (2021, August 17). How the IT Industry is shaping the future of India? Times of India Blog. https://timesofindia.indiatimes.com/readersblog/youth2020/how-the-it-industry-is-shaping-the-future-of-india-36519/?t

Joshi, V., & Little, I. M. D. (1996). India's Economic Reforms, 1991-2001. Oxford University Press. https://doi.org/10.1093/0198290780.001.0001

Kaka, N., Madgavkar, A., Kshirsagar, A., Gupta, R., Manyika, J., Bahl, K., & Gupta, S. (2019, March 27). Digital India: Technology to transform a connected nation | McKinsey. Www.mckinsey.com. https://www.mckinsey.com/capabilities/mckinsey-digital/our-insights/digital-india-technology-to-transform-a-connected-nation

Kant, A. (2024, September 5). India's strategic leap: 12 new industrial parks to drive sustainable urbanisation & manufacturing growth. The Economic Times; Economic Times. https://economictimes.indiatimes.com/opinion/et-commentary/indias-strategic-leap-12-new-industrial-parks-to-drive-sustainable-urbanization-manufacturing-growth/articleshow/113103448.cms

Kaur, H. (2023, June 29). 11 Reasons Why IT Outsourcing in India is the Best Decision [2024]. Yourteaminindia.com; ValueAppz Solutions Private Limited. https://www.yourteaminindia.com/blog/outsourcing-in-india?t

Kumar, R. (2023). E-commerce in India: Challenges and opportunities. International Journal of Research in Finance and Management, 6(2), 244–247. https://doi.org/10.33545/26175754.2023.v6.i2c.275

Majumder, R. (2018). Technology and Labour Market: Insights from Indian Manufacturing Sector. The Indian Journal of Labour Economics, 61(2), 321–338. https://doi.org/10.1007/s41027-018-0128-1

Mathur, S. K. (2006). Indian Information Technology Industry: Past, Present and Future& A Tool for National Development. Journal of Theoretical and Applied Information Technology, 2(2). https://www.researchgate.net/publication/26488243_Indian_Information_Technology_Industry_Past_Present_and_Future_A_Tool_for_National_Development

Ministry of Commerce & Industry. (2024). India's FDI Journey Hits $1 Trillion. Pib.gov.in. https://pib.gov.in/PressReleasePage.aspx?PRID=2083683&t

Ministry of Statistics & Programme Implementation. (2024). ECONOMIC SURVEY OF RURAL-URBAN POPULATION. Pib.gov.in. https://pib.gov.in/PressReleasePage.aspx?PRID=2042542&t

NASSCOM. (2024). NASSCOM STATEMENT: Job creation and Hiring in Indian IT-BPM industry. https://nasscom.in/sites/default/files/media_pdf/NASSCOM-Statement-Job-creation-and-Hiring-in-Indian-IT-BPM-industry.pdf?t

Natarajan, P., & Jalote, P. (2019). The Growth and Evolution of India's Software Industry. Acm.org. https://doi.org/10.1145//3347863

Nikolov, N. (2024). Smart Cities as a Tool for Environmental Sustainability: Opportunities and Challenges. Vide. Tehnologija. Resursi/Environment. Technology. Resources, 1, 261–266. https://doi.org/10.17770/etr2024vol1.7948

Patel, M. (2024, December 2). Outsourcing to India: Why Businesses Choose India for Growth! Kody Technolab. https://kodytechnolab.com/blog/outsourcing-to-india/?t

Press Information Bureau. (2013, January 17). Clarification regarding issues relating to export of computer software – Direct tax incentives [Press release]. Ministry of Finance, Government of India. https://pib.gov.in/

Sanyal, I. (2022). THE 19TH CENTURY INTERNET THE FASCINATING STORY OF "INDO-EUROPEAN TELEGRAPH." Science and Culture, 88(May-June), 151–161. https://doi.org/10.36094/sc.v88.2022.the_19th_century_internet.sanyal.151

Scammell, G. V. (2000). After Da Gama: Europe and Asia since 1498. Modern Asian Studies, 34(3), 513–543. doi:10.1017/S0026749X00003577

Sharma, D. (2024, January 4). Skill India: Education to Employment Bridge. Investindia.gov.in. https://www.investindia.gov.in/blogs/skill-india-education-employment-bridge?t

Sharma, D. C. (2009). The Long Revolution. HarperCollins India.

Sharma, S. N. (2024, October 19). Rise of new cities: Meet the new Gurgaons of India that are growing quietly but steadily. The Economic Times; Economic Times. https://economictimes.indiatimes.com/news/economy/infrastructure/rise-of-new-cities-meet-the-new-gurgaons-of-india-that-are-growing-quietly-but-steadily/articleshow/114378934.cms

Sobha. (2024, July 14). 10 Fastest Growing Cities in India 2025. SOBHA | Blog. https://www.sobha.com/blog/fastest-growing-cities-in-india/?t

Sood, A. (2023, March 30). India is witnessing a rapid transformation in its urban landscape, with a significant rise in the number of people migrating to cities in search of better opportunities. According to the United Nations, India is expected to add nearly 416 million urban dwellers by 2050, making it one of the fastest. Linkedin.com. https://www.linkedin.com/pulse/changing-face-urbanization-its-impact-indias-real-estate-sood/

Sun, S. (2022, August 17). India - IT-BPM industry GDP share 2017. Statista. https://www.statista.com/statistics/320776/contribution-of-indian-it-industry-to-india-s-gdp/

Telecom Regulatory Authority of India. (2023). Consultation paper on digital inclusion in the era of emerging technologies (Consultation Paper No. 16/2023). https://www.trai.gov.in

The Centre for the Internet & Society. (2023). Licensing Framework for Telecom: A Historical Overview — Centre for Internet and Society. Cis-India.org. https://cis-india.org/telecom/resources/licensing-framework-for-telecom?t

Venkatasubramanian, G. (2024). Challenges Faced by the Indian Government in Managing Urbanization and Practical Solutions. International Journal for Research in Applied Science and Engineering Technology, 12(9), 581–587. https://doi.org/10.22214/ijraset.2024.64238

VisionIAS. (2024, October 16). Regional Disparity In Development | Current Affairs | Vision IAS. Current Affairs | Vision IAS. https://visionias.in/current-affairs/monthly-magazine/2024-10-17/economics-(indian-economy)/regional-disparity-in-development?t

Vinuesa, R., Azizpour, H., Leite, I., Balaam, M., Dignum, V., Domisch, S., Felländer, A., Langhans, S. D., Tegmark, M., & Fuso Nerini, F. (2020). The role of artificial intelligence in achieving the Sustainable Development Goals. Nature Communications, 11(1), 233. https://doi.org/10.1038/s41467-019-14108-y

Ward, B. (1961). India and The West. International Affairs, 37(4), 440–451. https://doi.org/10.2307/2611068

Wilhelm, Z. (2008). Dél-Ázsia társadalomföldrajza. In N. Szegedi & Z. Wilhelm, In Ázsia regionális földrajza. Budapest: Eötvös Kiadó.

Wilhelm, Z. (2011). The survey of spatial disparity in India with the application of the SENTIENT Index. Hungarian Geographical Bulletin, 60(1), 45–65.

Wilhelm, Z. (2022). A gazdasági modernizáció és a geopolitikai kelepce indiai módja. Eurázsia Szemle, 2(3), 8–35.

Wilhelm, Z. (2022). A gazdasági modernizáció és a geopolitikai kelepce indiai módja. Eurázsia Szemle, 2(3), 8–35.

Wu, W., Shi, J., & Liu, Y. (2024). The impact of corporate social responsibility in technological innovation on sustainable competitive performance. Humanities & Social Sciences Communications, 11(1). https://doi.org/10.1057/s41599-024-03193-0

Xypolia, I. (2016). Divide et Impera: Vertical and Horizontal Dimensions of British Imperialism. Critique, 44(3), 221–231. https://doi.org/10.1080/03017605.2016.1199629

Zagyi, N., Kuszinger, R., & Wilhelm, Z. (2021). Characteristics of recent urbanisation in India in light of the divergent development paths of metropolises. Regional Statistics, 11(3), 60–94. https://doi.org/10.15196/RS110301.

ESSAY

DEATH WITH DIGNITY: A HUMAN RIGHT OR CRIME? – COMPARISON OF THE LEGISLATION ON ASSISTED DYING AND PALLIATIVE CARE IN BELGIUM AND HUNGARY

Dorottya Barják

ABSTRACT

The concept of assisted dying is a divisive topic that most people are reluctant to talk about. In Europe, some States oppose it by criminalizing all forms of euthanasia and assisted suicide and there are States who support it by legalizing some aspects of it. As there is no consensus on the issue, the debate about it will not likely be settled soon. My paper's objective is to reveal a topic often treated as a 'taboo'. After the evaluation of the terminology, the paper will explore the domestic legislation of Belgium, and Hungary on assisted dying and palliative care. The analysis demonstrates how these divergent models reflect fundamentally different societal values concerning autonomy, dignity, and the role of the State in end-of-life matters.

Keywords: assisted dying, end-of-life decisions, human rights, legislation

INTRODUCTION

The name and condition of Dániel Karsai might be known to most people in Hungary and across Europe. He was a human rights lawyer, who had amyotrophic lateral sclerosis (ALS), a terminal and incurable illness. In its advanced stage, most muscles are paralyzed, and the patient cannot control them due to the gradual degeneration of the brain's and spinal cords' nerve cells. As the cognitive ability of the patient is usually not affected, the patient is aware of him/herself and his disease (National Institute of Neurological Disorders and Stroke). Mr. Karsai approached the ECHR to make an exception to the criminal ban on physician-assisted dying in Hungary so that he could end his life with dignity when he felt that his suffering became unbearable. However, the Court found no violation and decided that Hungary has a wide margin of appreciation on whether they legalize or criminalize physician-assisted suicide. (ECHR, 2024)

On the opposite part of the continent, in the Netherlands patients facing "unbearable suffering with no prospect of improvement" irrespective of whether physical or mental can request assisted dying (The Netherlands, Termination of Life on Request and Assisted Suicide Act, 2002). The decision of a Dutch woman Zoraya Ter Beek made headlines all over Europe, as she was granted euthanasia on the basis of a psychiatric illness. Being physically healthy, her motive was that she struggled with mental illnesses such as depression, autism, and personality disorder (Harriet, 2024). After three years of waiting Zoraya got the final approval and died on the 16th of May at the age of 29 (Subramanya, 2024).

The case of Alfie Evans from the UK may also sound familiar, Alfie was a young boy struggling with a progressive neurological degenerative condition (Wilkinson & Savulescu, 2018). He was treated in the hospital for over a year and was held on artificial ventilation, however, his condition didn't improve, and his illness was terminal (Jonas & Ryan, 2021). His parents' wish was to transfer Alfie to Rome, where he was promised to have further ventilator support and operations that could help him breathe in the Bambino Gesù Hospital. The medical team did not agree and argued that his brain tissues were severely damaged, and further medical treatment would be futile and inhumane. After a long legal debate between the parents and the hospital, his life support was removed and 5 days later Alfie Evans died (Jonas & Ryan, 2021).

All these three cases pose quite controversial questions relating to decision-making in end-of-life setting. Does a person possess the right to decide on his or her death? What happens if someone decides to voluntarily 'give up her right to life'? Do patients have a 'right to die'? What happens if a patient's relative does not want to give it up, and wants to pursue further treatment, even though treatment proved to be futile? Euthanasia is an ancient Greek term adapted as "good death" in English, (Honderich T. 2005) meaning that instead of a painful, and undignified death, through euthanasia patients can experience a relatively "good death" (Guenter, 2010). Besides euthanasia, which tends to be the most well-known term, there are other end-of-life decisions relating to palliative care that can pose legal and ethical questions. The laws governing assisted dying practices vary from nation to nation because there is no comprehensive regulation about end-of-life decisions within the framework of international law (Zaman, et al. 2017). Nevertheless, the issue's pertinence from a human rights perspective is undeniable (Brennan & Gwyther, 2015). My aim in this paper is to explore the wide variety of how palliative care and different types of assisted dying: physician-assisted suicide and euthanasia can be regulated. I would like to investigate how countries in Europe legislate these acts domestically and to what extent these legislations differ from each other. Comparing the exact national regulation on end-of-life decisions in Belgium, and Hungary will outline the diversity of end-of-life legislation.

SPECIFIC REMARKS ON END-OF-LIFE DECISIONS

Since the beginning of medicine, the doctor's main responsibility has been to help their patients and refrain from harming. (Ko & Blinderman, 2015) However, controversy regarding this concept is definitely not a new one as medical futility emerged in the early periods of medicine as well, with Hippocrates teaching his students *"to refuse to treat those who are overmastered by their diseases, realizing that in such cases medicine is powerless"* (Scannell & Henry, 2002, 52). Medical Futility People now have a different medical profile, they have more comorbidities – meaning that different medical conditions are present simultaneously in the patient – and a longer life expectancy as well (Hamidi & Joseph, 2019). This advancement in the healthcare industry and society made decision-

making complex at the end of life. "Doing everything medically possible" and "ensuring the patient does not suffer" must be balanced (van Beinum, 2023). It also made the establishment of an adequate system necessary, capable of providing comfort and care to people with terminal illnesses, which are hospice care and palliative care. While both approaches are used when dealing with a fatal illness at the end of life, there are differences between them. Palliative care's main objective is to maintain the terminally ill patient's life quality and the patient's care partners through managing the patient's symptoms effectively and providing spiritual, social, and psychological support (Watson et al., 2019). Palliative care must be personalized starting as early as a person's diagnosis and can happen alongside curative treatments for the disease (Mount et al., 2006). Hospice care is provided during the final months of a patient's life, placing a big emphasis on supporting and comforting the family of the patient. It may may happen at a nursing home, at home of the patient, a hospice, or a hospital (National Institute on Aging, 2024).

WITHHOLDING/WITHDRAWING LIFE-SUSTAINING TREATMENT

Today, the main essence of the withholding or withdrawing life-supporting treatment is to cease the pursuit of further therapeutic options for the given problem of the patient (Chambaere & Bernheim, 2018). It can include the medical treatments being withheld or withdrawn, or a decision not to transfer the patient to the hospital (Chambaere & Bernheim, 2018). Another important aspect that must be highlighted is that withholding or withdrawing treatment is not a form of abandonment, because it should include a plan that provides further care or symptom management for the patient (Ko & Blinderman, 2015). A wide range of procedures are commonly withdrawn or withheld at the last stage of life, for example: "cardiopulmonary resuscitation, intubation, mechanical ventilation, artificial nutrition and hydration, kidney dialysis, surgery, and antibiotics treatment." (Ko & Blinderman, 2015, 323). According to the Islamic, Orthodox Jewish, and Catholic authorities, artificial nutrition and hydration differ from other medical treatments and must be assessed in another way, for example, the Catholic church believes it to be a humane care (May, 2008). However, in the countries' jurisprudence, artificial nutrition and hydration are treated

the same as other medical treatments (May, 2008). Whether to differentiate between withholding or withdrawing is a subject of discussion. On one side a moral distinction could be made as withholding is an act by omission, and withdrawing is an act by commission. On the other side according to the Western bioethical perspective, there is no need to morally distinguish one from the other (United States, 1982). The developed countries' jurisprudence seems to favour the second approach and leans toward accepting moral equivalency between the two (Chambaere & Bernheim, 2018). It is also worth mentioning that while there is no legal or ethical distinction, the two acts can have different moral or psychological effects on the physician, the patient, or the family members (Chambaere & Bernheim, 2018). While in developed countries (examples) it tends to be legal most of the countries have a different approach to withdrawing or withholding treatment (Mendelson & Jost, 2003). On the contrary in developing countries (examples) it is illegal or doesn't have a certain legal status (Blank, 2011).

Alleviation of pain or other symptoms

Managing pain and symptoms during the final stages is a key element in palliative care, usually by administering progressively higher dosages of morphine or sedatives (Chambaere & Bernheim, 2018). Regarding symptoms besides pain, other four intensify near death: lack of appetite, drowsiness, dyspnoea, and fatigue (Cheung et. al., 2009). What seems to be problematic with this decision and may arouse fear is that if the physician provides the opioids in a higher dose, it may have different side effects, or it hastens the death of the patient. Actively and intentionally hastening the death of a patient without their consent is considered illegal around the world. (Chambaere & Bernheim, 2018). Nevertheless, relieving the pain is an essential part of both palliative and hospice care, and has a significant role during the process of withdrawing life-prolonging therapies. Another term, which must be discussed is palliative sedation, which means the usage of drugs to achieve various states of unconsciousness, in patients who are close to death to relieve their unbearable and refractory symptoms (Bookbinder & McHugh, 2010). On the one hand, it can be light sedation, during which the patient can communicate, and on the other hand, it can be deep sedation, which means that the patient can't do that. Ethical concerns could be raised especially with deep sedation as it

could have life-shortening side effects (Hasselaar, 2019). For this reason, all types of sedation should be proportionate for the intended purpose of relieving suffering and deep sedation can only be applied in the patient's last phase of life, meaning the last days. (Hasselaar, 2019). Sedation that is continued until the last moment is continuous deep sedation, and it is often the subject of controversy as some fear that it results in a potential grey area between euthanasia and intensified symptom treatment. (Hasselaar, 2019). The fear stems from the fact that physicians do not need explicit permission from the patient to apply continuous deep sedation, therefore it provides more space for abuse than euthanasia, for which consent is a requirement (Quill et al., 1997). However, the distinction can be made because, during palliative sedation, the death is attributed to the illness and not to the act of the physician and the sedatives' dosages are different as well (Broeckaert, 2011).

Assisted dying: Euthanasia, physician-assisted suicide, and assisted suicide

Euthanasia is the most well-known term regarding end-of-life decisions, however, what exactly falls under is not precisely known. An obsolete categorization of euthanasia based on morality divided it into passive and active forms, meaning passive euthanasia = "letting die" and active euthanasia = "killing" (Brassington, 2020). An opposing argument by James Rachel written in 1975 became highly publicized, stating that no moral distinction could be made between the two, because "letting die" also requires an act, the act not to do anything, and in fact, it is often slower and more painful (Rachels, 1975). Based on nowadays perception the categorization of euthanasia into passive and active forms is an outdated classification. The Netherlands's definition describes euthanasia well, stating that it means: 'the administering of lethal drugs by a physician with the explicit intention to end a patient's life on the patient's explicit request.' (Onwuteaka-Philipsen et al., 2012). According to this approach, the act specifically entails injecting the patient with two different kinds of drugs: first, barbiturates, which put them into a coma, and then, neuromuscular blockers, which paralyze the respiratory muscles (Materstvedt & Bosshard, 2015). Another important distinguishment should be made on the basis consent of the patient: voluntary euthanasia, involuntary euthanasia, and non-

voluntary euthanasia (Goligher et al., 2017). According to the legislation of States legalizing euthanasia, it can only happen upon the request of the patient, therefore it can only be voluntary euthanasia (Emanuel et al., 2016). The involuntary nature means that the patient is capable of making a decision, but did not request euthanasia, while the nonvoluntary nature means that the patient is not capable of voluntarily requesting euthanasia, because he is not mentally competent to make a decision (Emanuel et al., 2016). In most European countries these terms are not even called euthanasia and are regarded as *"the termination of life without the patient's explicit request"*, which is illegal in all jurisdictions around the world (Emanuel et al., 2016).

How the two other concepts of assisted dying (PAS and assisted suicide) differ from euthanasia is based on the execution of the acts. While during euthanasia the physician is the final actor, during PAS and assisted suicide the patient is (Chambaere & Bernheim, 2018). Physician-assisted suicide means that the patient voluntarily self-administers the lethal medication, which was provided to him by the physician (Materstvedt & Bosshard, 2015). On the contrary, during assisted suicide, the lethal drug is handled to the patient by a layperson and not a medical professional (Materstvedt & Bosshard, 2015). While PAS is legal in a number of countries (the Benelux countries, Germany, Austria, Spain, and some States in the USA), assisted suicide is considered to be illegal in most jurisdictions, with an exemption in Switzerland (Bosshard, 2008). A common thread in the different forms of assisted dying is that all of them can only happen if the patient voluntarily requests it (Materstvedt & Bosshard, 2015).

National legislation of Belgium on end-of-life decisions

Belgium is considered to follow a liberal approach in assessing end-of-life decisions in contrast to other European countries, as they legalized physician-assisted suicide and euthanasia with the Euthanasia Act, which came into force in September 2002. According to the Belgian model assisted dying and palliative care exist side by side, but rather than being opponents of each other, assisted dying becomes part of palliative care, when the latter proves to be futile (Bernheim et al., 2014). This is a unique approach compared to the majority of European countries. In fact, the legalization of

euthanasia is seen to have contributed to the advancement of palliative care (Gerson et al., 2020). Nothing proves this better than the fact, that a law concerning palliative care was also adopted in the same year, which is the Law on Palliative Care of 14th June 2002. The law ensures that each and every citizen is entitled to be informed about his condition and to receive adequate palliative care, including that it is accessible to the patients (Bernheim et al., 2008). A notable development is that by the precise legislation of active aid in dying and palliative care the amount of life-ending procedures performed without the consent of the patient has declined (Pardon, 2013).

Regarding the exact decisions in the sphere of end-of-life, the Belgian law is wide-ranging, from which I will only deal with the most relevant sources according to the subject of my research. The first one that should be mentioned is the Law on Patients' Rights, Article 8 of it ensures that grants patients can refuse or withdraw their consent for a 'medical intervention'. This right also ensures an 'advance refusal', which means that the patient can make a written statement refusing a given medical intervention prior, while he is able to do so (Belgium, the Law on Patients' Rights of 22nd August 2002). The physicians should avoid continuing a treatment that has proved to be futile, therefore withholding or withdrawing treatment can also be performed out without the patient's explicit request (Herman, 2019). Going further, Article 11 of the Law on Patients' Rights states that a physician must provide assistance to a patient experiencing pain near death and to sufficiently relieve their suffering. Palliative sedation or terminal sedition is not explicitly mentioned in the legislation; however, some related principles are covered in the Law on Patients' Rights.

Moving on to the regulation of assisted dying, the most significant source of law is the Euthanasia Act, providing a detailed description of the procedure of legal euthanasia. First Chapter I Section 2 of the Act starts with a definition and defines euthanasia as the following: "*For the purposes of this Act, euthanasia is defined as intentionally terminating life by someone other than the person concerned, at the latter's request.*" (Belgium, Act on Euthanasia of May 28th, 2002). Chapter II. Section 3. describes the condition which has to be met by the patient to be able to request the ending of his life, and the physician's duties. It requires that while making the request the patient is conscious, its request is voluntary and

made in writing, free from any external pressure, and that *"the patient is in a medically futile condition of constant and unbearable physical or mental suffering that can not be alleviated, resulting from a serious and incurable disorder caused by illness or accident;"* (Belgium, Act on Euthanasia of May 28th, 2002). Regarding the duties of the physician, he must provide every detail to the patient about his life expectancy, health condition, any potential treatment options, and what their outcome would be. The physician must also be sure of the permanent character of the physical or mental suffering of the patient, along with that the request made on their behalf is entirely voluntary, through several conversations over a "*reasonable period of time".* Additionally, another physician needs to be consulted to discuss the terminal nature of the disorder and the consulted physician *"must be certain of the constant and unbearable physical or mental suffering that cannot be alleviated"* of the patient by analyzing its medical record and examining the patient (Belgium, Act on Euthanasia of May 28th, 2002). If the patient is *"clearly not expected to die in the near future"*, as the cause of his suffering is a mental disorder, consultation is required with a second independent physician, it can be a specialist in the disease in question or a psychiatrist (Belgium, Act on Euthanasia of May 28th, 2002). This consulted physician should also be sure that every procedural requirement is met. Another criterion in this case is that the time between the written request and the euthanasia must be at least one month. Further, Chapter III. Section 4. makes a crucial distinction and details how euthanasia could be performed on an advance written request. The patient may prepare an advance directive for the time when he is unable to articulate his wishes. In this case, other criteria for euthanasia include that the situation of the patient is irreversible and he has lost consciousness. Apart from this, the procedure of euthanasia in this instance is essentially similar to the current written request, implying that another physician must also be consulted about the condition of the patient focusing on its irreversibility. For euthanasia to be legal the physician is required to register it with Federal Control and Evaluation Commission (Belgium, Act on Euthanasia of May 28th, 2002).

A debated aspect of this law is its amendment, which abolished the biological age requirement for euthanasia and many consider it to be the proof of a 'slippery slope' (Raus et al., 2021). It made possible that euthanasia can be performed on a patient who is a

minor, who is judged to have a *"capacity of discernment"* and voluntarily request euthanasia, regardless of their biological age (Belgium, Act amending the Act of 28 May 2002 on euthanasia, 2014). In these cases, the physician is required to consult with a child psychologist or psychiatrist, and the legal representative of the minor must also consent to the procedure. A distinction is made from adult patients, as minors can only request euthanasia "*for constant and unbearable physical suffering that cannot be alleviated and that will result in death in the short term*" (Belgium, Act amending the Act of 28 May 2002 on euthanasia, 2014). In Besides this difference – that they cannot request euthanasia for mental suffering – minor patients have to comply with all other criteria set in the Act (Raus, 2016). The argument supporting this view was that minors with terminal illnesses mature more rapidly (Mroz et. al. 2022).

Physician-assisted suicide has an ambiguous legal status because it is neither specifically prohibited by the Euthanasia Act nor criminalized under the Belgian Criminal Code, however, it is legal if it is performed according to certain criteria (Nys, 2022). The latest amendment of the Belgian Criminal Code makes incitement to suicide a crime in Belgium. Article 109 states that incitement means a deliberate performance of an act likely to cause a person to commit suicide (Belgium, Book II of the Criminal Code, 2024). Despite this new legislation, physician-assisted suicide remains legal in Belgium, and it was reaffirmed that assisted suicide is distinguished from incitement in suicide (European Institute of Bioethics, 2024). Regarding its relation to euthanasia, during the drafting of the Euthanasia Act, it was intentionally left out, arguing that in principle physician-assisted suicide is the same as euthanasia. It was suggested by the Council of State to regulate assisted suicide according to the Euthanasia Act, which was later confirmed by the Order of Physicians, highlighting how assisted suicide is analogous to euthanasia if the provisions of the Euthanasia Act are followed (Nys, 2022).

National legislation of Hungary on end-of-life decisions

Hungarian legislation on end-of-life decisions is considered conservative compared to Belgium's and Switzerland's. Under this legislation, Act C of 2012 on the Criminal Code criminalizes assisted

suicide and euthanasia. Euthanasia is criminalized under Section 161 as *"Voluntary manslaughter"*, for which the sentence is lighter compared to murder. Assisted suicide is criminalized under the next section, Section 162, as *"Aiding and Abetting Suicide"*, If the persuaded individual is older than eighteen, the sentence is lighter; if he is younger than eighteen, the sentence is heavier. A new aspect, compared to criminal bans in other European countries, is that the Criminal Code has extraterritorial jurisdiction (Hungary, Act C of 2012 on the Criminal Code, 2012, §3(2[b]). Therefore, helping a Hungarian terminally ill patient, who would like to end his suffering to go to Switzerland constitutes a crime, and the legislation accepts no excuses, even in the sphere of non-Hungarian citizens. Therefore, the patient's autonomy to decide on his death can only be exercised through the right to decide on whether to refuse treatments. This right was introduced into the Hungarian legal system with Article 20-23 of the Act CLIV of 1997 on Health, which details under what conditions can this right be exercised and by whom. Regarding the majority of issues relating to treatment, the patient is free to make decisions and communicate his wishes, including that in the event of refusal later he is free to change his mind at any moment, even without reasoning (Hungary, Act CLIV of 1997 on Health, 1997). As to what treatments can be refused, Article 20 (3) prescribes that life-sustaining or life-saving interventions can only be refused *"if the patient suffers from a serious illness which, according to the current state of medical science, will lead to death within a short period of time even with adequate healthcare, and is incurable"* (Hungary, Act CLIV of 1997 on Health, 1997, §20). This section of the Act has come in for a lot of criticism because it uses vague terms, like *"short period of time"* or *"adequate healthcare"* whose meaning is difficult to define. Additionally, the procedure for the practice of the right is inefficient, as it is quite circumstantial. Article 20 (4) prescribes that the refusal should be done through *"a public deed or in a private deed with full probative value"*, which can only come into effect after a committee of three physicians has made sure that the *"patient took his or her decision in full cognizance of its consequences"* and after which three days later the patient confirmed his or her wish to refuse treatment. In practice, this construction is quite unrealistic, because if the patient is in the condition to go through the procedure, he probably does not want to die, and if he wishes to die, he is no longer in a condition to participate in the procedure. Therefore,

there is another option the 'living will', meaning that a person chooses to make the refusal in advance: *"a person with full disposing capacity may refuse in a public deed, for the event of his eventual subsequent incapacity"* (Hungary, Act CLIV of 1997 on Health, 1997, §20). According to Péter Stánicz, the 'living will' has the biggest potential in ensuring that the patients can decide on their deaths, as it makes it possible for people to make considered decisions. This law is also relevant in the question of alleviating symptoms and pain of terminally ill patients, as Article 90 regulates how care for people with terminal diseases at the end of life should be conducted. It prescribes that *"the patient shall be entitled to palliative care to mitigate pain, alleviate physical symptoms and emotional suffering, and to have family members and other significant persons at his or her side"*, aiming to ensure the highest possible quality of living and preserve his dignity. (Hungary, Act CLIV of 1997 on Health, 1997 §90). According to Katalin Hegedűs, a developed hospice and palliative care could be the alternative to assisted dying, what is the difficulty is that in Hungary these are not that developed.

CONCLUSION

The comparative analysis of Belgian and Hungarian end-of-life legislation reveals not only a contrast in legal frameworks but also a fundamental divergence in the underlying values and social attitudes toward death. Belgium represents one of the most progressive jurisdictions in Europe, where the legal system has created a comprehensive, and transparent framework for dealing with assisted dying. In Belgium, the legal recognition of both euthanasia and physician-assisted suicide, alongside robust provisions for palliative care, reflects a societal consensus that prioritizes patient autonomy, individual dignity, and freedom of choice at the end of life. The Belgian approach is characterized by a high level of procedural safeguards, multidisciplinary involvement, and oversight mechanisms such as the Federal Control and Evaluation Commission. Notably, Belgian law integrates palliative care and assisted dying as two practices working together in a synergy.

In contrast, Hungary's legislation embodies a conservative approach that places significant legal and procedural barriers between patients and all forms of assisted dying. The Hungarian Criminal Code criminalizes both euthanasia and assisted suicide,

regardless of the circumstances of the patients' illness or wishes. The legislation is centred around the protection of life as an interest of the State overriding personal autonomy, even in circumstances of a terminal illness. Next to the protection of life the goal of this is to ensure that no abuse happens, and terminally ill patients do not end their lives because they feel like a burden on society. The only legal means by which a terminally ill patient can influence the course of their dying process is through the refusal of treatment—a right that exists, but is bound by vague definitions, procedural complexity, and practical inaccessibility. However, vague definitions and the complexity of the procedure makes it hard to execute in practice. Furthermore, Hungary's extraterritorial jurisdiction, which criminalizes assistance in dying even abroad, illustrates one of the most rigid forms of legislation across Europe. While Hungarian law guarantees the right to palliative care and pain alleviation, the actual development and availability of such services remain limited, undermining the effectiveness of this alternative to assisted dying. To ensure that patients can die with dignity the most important step for Hungary would be to make palliative care available and more efficient in practice. Additionally, as medical advancements continue to prolong life without necessarily improving its quality, and as public debates on euthanasia and assisted suicide gain momentum across Europe, the question remains whether a common European approach could be reached on the topic or not. From a human rights perspective a coherent and accessible regulation – respecting both life and the individual's right – on the level of the European Council could be useful in ensuring that citizens of the Member States have the same rights in the topic.

BIBLIOGRAPHY

Belgium, Act amending the Act of 28 May 2002 on euthanasia, sanctioning euthanasia for minors. 2014

Belgium, Act on Euthanasia of May 28th, 2002

Belgium, Book II of the Criminal Code, 2024

Belgium, the Law on Palliative Care of June 14th, 2002

Belgium, the Law on Patients' Rights of 22nd August 2002

Bernheim JL, Deschepper R, Distelmans W, et al. (2008) Development of palliative care and legalisation of euthanasia: antagonism or synergy?. BMJ (Clinical research ed.), 336(7649), 864–867. https://doi.org/10.1136/bmj.39497.397257.AD

Bernheim JL, Distelmans W, Mullie A, Ashby A. (2014). Questions and answers on the Belgian model of integral end-of life care: experiment? Prototype?: "Eu-euthanasia": the close historical, and evidently synergistic, relationship between palliative care and euthanasia in Belgium: an interview with a doctor involved in the early development of both and two of his successors. Journal of bioethical inquiry, 11(4), 507–529. https://doi.org/10.1007/s11673-014-9554-z

Blank, R.H. (2011). End-of-life decision making across cultures. Journal of Law, Medicine & Ethics, 39, 201–214 https://doi.org/10.1111/j.1748-720X.2011.00589.x

Bookbinder, M., & McHugh, M. E. (2010). Symptom management in palliative care and end of life care. The Nursing clinics of North America, 45(3), 271–327. https://doi.org/10.1016/j.cnur.2010.04.002

Brassington I. (2020). What passive euthanasia is. BMC Med Ethics 21(1), 41. https://doi.org/10.1186/s12910-020-00481-7

Broeckaert B. (2011) Palliative sedation, physician-assisted suicide, and euthanasia: "same, same but different". The American journal of bioethics: AJOB ;11(6):62–64. https://doi.org/10.1080/15265161.2011.577518

Chambaere, K., Bernheim, J. (2018) End-of-Life Decisions. In: MacLeod, R., Van den Block, L. (eds) Textbook of Palliative Care. Springer, Cham. https://doi.org/10.1007/978-3-319-31738-0_91-1

Cheung, W. Y., Barmala, N., Zarinehbaf, S., Rodin, G., Le, L. W., & Zimmermann, C. (2009). The association of physical and psychological symptom burden with time to death among palliative cancer outpatients. Journal of Pain & Symptom Management, 37(3), 297-304. http://dx.doi.org/10.1016/j.jpainsymman.2008.03.008

Dániel Karsai v Hungary App. no 32312/23 (ECtHR [Chamber], 13 June 2024)

Emanuel, E. J., Onwuteaka-Philipsen, B. D., Urwin, J. W., & Cohen, J. (2016). Attitudes and Practices of Euthanasia and Physician-Assisted Suicide in the United States, Canada, and Europe. JAMA, 316(1), 79–90. https://doi.org/10.1001/jama.2016.8499

European Institute of Bioethics, Criminalisation of incitement to suicide: the Belgian legislator excludes assisted suicide and euthanasia https://www.ieb-eib.org/en/news/end-of-life/euthanasia-and-assisted-suicide/criminalisation-of-incitement-to-suicide-the-belgian-legislator-excludes-assisted-suicide-and-euthanasia-2247.html

Frank, B., Gwyther, L., 'Human rights issues', in Cherny, N., and others (eds), Oxford Textbook of Palliative Medicine, 5 edn, Oxford Textbook (Oxford, 2015; online edn, Oxford Academic, 1 Apr), 323-334 https://doi.org/10.1093/med/9780199656097.003.0101

Gerson, S. M., Koksvik, G. H., Richards, N., Materstvedt, L. J., & Clark, D. (2020). The Relationship of Palliative Care With Assisted Dying Where Assisted Dying is Lawful: A Systematic Scoping Review of the Literature. Journal of pain and symptom management, 59(6), 1287–1303. https://doi.org/10.1016/j.jpainsymman.2019.12.361

Goligher, E. C., Ely, E. W., Sulmasy, D. P., Bakker, J., Raphael, J., Volandes, A. E., Patel, B. M., Payne, K., Hosie, A., Churchill, L., White, D. B., & Downar, J. (2017). Physician-

Assisted Suicide and Euthanasia in the ICU: A Dialogue on Core Ethical Issues. Critical care medicine, 45(2), 149–155. https://doi.org/10.1097/CCM.0000000000001818

Guenter, L., Assisted Death in Europe and America: Four Regimes and Their Lessons (2010; online edn, Oxford Academic, 1 Jan. 2011), https://doi.org/10.1093/acprof:oso/9780199746415.001.0001

Hamidi, M., & Joseph, B. (2019) Changing Epidemiology of the American Population. Clinics in geriatric medicine, 35(1), 1–12. https://doi.org/10.1016/j.cger.2018.08.001

Hasselaar, J. (2019). Palliative Sedation: A Medical-Ethical Exploration. In: MacLeod, R., Van den Block, L. (eds) Textbook of Palliative Care. Springer, Cham. https://doi.org/10.1007/978-3-319-77740-5_92

Herman, Nys., (2019) Medical Law in Belgium. Wolters Kluwer; 5th edition

Honderich T., (2005) The Oxford Companion to Philosophy (2 ed.) Euthanasia https://doi.org/10.1093/acref/9780199264797.001.0001.

Hungary, Act CLIV of 1997 on Health, 1997

Hungary, Criminal Code, Act C of 2012, 2012

Jonas, M., Ryan, S., (2021) The Discourse of Dignity in the Charlie Gard, Alfie Evans and Isaiah Haastrup Cases, Medical Law Review, 29(1) 24–47, https://doi.org/10.1093/medlaw/fwaa038

Ko, Danielle N., and Craig D. Blinderman, (2015) 'Withholding and withdrawing life-sustaining treatment (including artificial nutrition and hydration)', in Nathan Cherny, and others (eds), Oxford Textbook of Palliative Medicine, 5 edn, Oxford Textbook, 323-334 https://doi.org/10.1093/med/9780199656097.003.0108.

Materstvedt, L. J., Bosshard, G. (2015). Euthanasia and palliative care. In: Cherny, N; Fallon, M; Kaasa, S; Portenoy, R; Currow, D. Oxford Textbook of Palliative Medicine. Oxford: Oxford University Press, 314-322. https://doi.org/10.1093/med/9780199656097.003.0107

Max Watson, and others (eds), 'Introduction', in Oxford Handbook of Palliative Care, 3 edn, Oxford Medical Handbooks (Oxford, 2019; online edn, Oxford Academic, 1 July 2019), https://doi.org/10.1093/med/9780198745655.002.0012

May, W.E. (2008) Caring for Persons in the "Persistent Vegetative State" and Pope John Paul II's March 20 2004 Address "On Life-Sustaining Treatments and the Vegetative State". In: Tollefsen, C. (eds) Artificial Nutrition and Hydration. Philosophy and Medicine, vol 93. Springer, https://doi.org/10.1007/978-1-4020-6207-0_3

Mendelson, D., & Jost, T. S. (2003). A Comparative Study of the Law of Palliative Care and End-of-Life Treatment. Journal of Law, Medicine & Ethics, 31(1), 130–143. https://doi:10.1111/j.1748-720X.2003.tb00063.x

Mount, B., Hanks, G., McGoldrick, L., (2006) The principles of palliative care, ABC of Palliative Care (Second edition)

Mroz, S., Deliens, L., Cohen, J., & Chambaere, K. (2022). Developments Under Assisted Dying Legislation: The Experience in Belgium and Other Countries. Deutsches Ärzteblatt International, 119(48), 829–835. https://doi.org/10.3238/arztebl.m2022.0378

National Institute of Neurological Disorders and Stroke: Amyotrophic Lateral Sclerosis (ALS)

National Institute on Aging, What Are Palliative Care and Hospice Care? https://www.nia.nih.gov/health/hospice-and-palliative-care/what-are-palliative-care-and-hospice-care

Nys, H. (2022). The ambiguous legal status of physician assisted suicide in Belgium. Journal Für Medizin- Und Gesundheitsrecht (JMG), 7(3), 191–194. https://doi.org/10.33196/jmg202203019101

Onwuteaka-Philipsen, B. D., Brinkman-Stoppelenburg, A., Penning, C., de Jong-Krul, G. J., van Delden, J. J., & van der Heide, A. (2012). Trends in end-of-life practices before and after the enactment of the euthanasia law in the Netherlands from 1990 to 2010: a repeated

cross-sectional survey. Lancet, 380(9845), 908–915. https://doi.org/10.1016/S0140-6736(12)61034-4

Pardon, K., Chambaere, K., Pasman, H. R. W., Deschepper, R., Rietjens, J., and Deliens, L. (2013). Trends in end-of-life decision making in patients with and without cancer. Journal of Clinical Oncology, 31(11), 1450–1457 https://doi.org/10.1200/JCO.2012.44.5916

Quill TE, Lo B, BrockDW. (1997). Palliative options of last resort: a comparison of voluntarily stopping eating and drinking, terminal sedation, physician-assisted suicide, and voluntary active euthanasia. JAMA. 278(23): 2099–2104. https://doi.org/10.1001/jama.278.23.2099

Rachels J. (1975). Active and passive euthanasia. The New England journal of medicine, 292(2), 78–80. https://doi.org/10.1056/NEJM197501092920206

Raus K. (2016). The Extension of Belgium's Euthanasia Law to Include Competent Minors. Journal of bioethical inquiry, 13(2), 305–315. https://doi.org/10.1007/s11673-016-9705-5

Raus, K., Deliens, L., & Chambaere, K. (2021). The extension of the Belgian euthanasia law to minors in 2014. In B. P. White & L. Willmott (Eds.), International perspectives on end-of-life law reform : politics, persuasion and persistence (40–62). https://doi.org/10.1017/9781108779364.006

Rupa Subramanya, The Free Press, She Was 29. And Doctors Helped Her Die https://www.thefp.com/p/zoraya-ter-beek-dead-assisted-suicide

Scannell, K., & Henry, S. C. (2002) Medical Futility. The Permanente journal, 6(1), 52–54. https://doi.org/10.7812/TPP/02.989

Sherwood Harriet, The Guardian. Dutch woman, 29, granted euthanasia approval on grounds of mental suffering https://www.theguardian.com/society/article/2024/may/16/dutch-woman-euthanasia-approval-grounds-of-mental-suffering.

The Netherlands, Termination of Life on Request and Assisted Suicide Act 2002

United States (1982). President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research. United States code annotated. United States, Title 42 Sect. 300v as added 1978

van Beinum, A., (2023) Challenging the logic of lifesaving in the intensive care unit. Social science & medicine 321, 115769. https://doi.org/10.1016/j.socscimed.2023.115769

Wilkinson, D., Savulescu, J., (2018) Alfie Evans and Charlie Gard-should the law change?. BMJ (Clinical research ed.), 361, k1891. https://doi.org/10.1136/bmj.k1891

Zaman, S., Inbadas, H., Whitelaw, A., & Clark, D. (2017) Common or multiple futures for end of life care around the world? Ideas from the 'waiting room of history'. Social science & medicine (1982), 172, 72–79. https://doi.org/10.1016/j.socscimed.2016.11.012

.

ESSAY

EMPOWERING THROUGH EDUCATION : AN ANALYSIS OF WOMEN'S EDUCATIONAL RIGHTS IN IRAN

Dária Tereza Khezri

ABSTRACT

This publication examines the evolution of women's educational rights in Iran, focusing on how international legal frameworks, domestic legislation, and societal norms collectively shape women's access to education. It provides a comprehensive analysis of Iran's sociopolitical and religious context, particularly the transformative impact of the 1979 Islamic Revolution on educational policies and gender dynamics. While female literacy rates and university enrollment have significantly increased in recent decades, persistent legal and cultural barriers—often rooted in religious principles—continue to restrict equal educational opportunities for women. By analyzing international treaties, constitutional provisions, and historical developments, this study highlights the structural challenges Iranian women face in accessing education and proposes reforms aimed at dismantling these systemic barriers.

Keywords*: Iran, Women, Right to Education, Gender Equality*

INTRODUCTION

"If you educate a man, you educate an individual, but if you educate a woman, you educate an entire nation." — Dr. James Emmanuel Kwegyir-Aggrey

Education has long been recognized as a cornerstone for personal and societal development. When women are empowered through education, the benefits extend beyond individuals to uplift families, communities, and nations. This publication explores the evolution of women's educational rights in Iran, examining the international and national legal frameworks governing these rights. Despite significant improvements in female literacy and university enrollment in Iran over the past few decades, fundamental sociopolitical and cultural barriers continue to restrict full equality in educational access and opportunities.

The Universal Declaration of Human Rights, the International Covenant on Economic, Social, and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the UNESCO Convention against Discrimination in Education all highlight the importance of non-discrimination and gender equality in education. However, Iran's unique socio-political landscape, rooted in Islamic traditions and shaped by the 1979 Revolution, has produced a complex environment where progressive policies coexist with enduring legal and ideological constraints.

By analyzing international human rights frameworks, the Iranian constitution, historical developments since the revolution, and statistical data on educational attainment, this publication aims to uncover the dynamics of gender inequality in education and assess the progress made. It argues that while education remains a critical avenue for empowering Iranian women, further reforms are necessary to ensure equal rights and access to opportunity within Iran's evolving legal and political context.

METHODOLOGY

This publication employs a multidisciplinary qualitative approach, integrating legal analysis, historical context, and statistical interpretation to examine women's educational rights in Iran. Central to the research is a doctrinal analysis of international legal instruments—including the Universal Declaration of Human

Rights, the International Covenant on Economic, Social, and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the UNESCO Convention against Discrimination in Education—alongside relevant provisions of the Iranian Constitution.

The study also incorporates historical analysis, focusing on key developments before and after the 1979 Iranian Revolution to assess how shifts in governance and ideology have influenced policies on women's education. Furthermore, statistical data on female literacy and university enrollment are used to evaluate measurable progress and remaining disparities in access to education. By synthesizing legal sources, historical developments, and quantitative indicators, this methodology aims to provide a well-rounded assessment of the structures enabling or obstructing women's educational rights in Iran.

DEFINING WOMEN'S RIGHT TO EDUCATION IN IRAN

This chapter explores the international legal framework that protects women's rights to education, highlighting its significance for gender equality and empowerment. The Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), CEDAW, and UNESCO's Convention against Discrimination in Education are all discussed, with a focus on their nondiscrimination and equal access to education principles. The chapter explores Iran's involvement in these treaties, noting that, while Iran has ratified the ICESCR, it has not joined other crucial agreements such as CEDAW, raising worries about gender equality in its education system. The examination extends to Iran's Constitution, which requires free education but bases it on Islamic precepts, posing hurdles to gender inclusion. The chapter also examines Iran's accomplishments over three Universal Periodic Review (UPR) cycles, including legislative initiatives aimed at enhancing women's education while highlighting ongoing challenges such as cultural discrimination and economic sanctions.

Overview of the International Law Framework Guaranteeing Women's Right to Education

The right to education is a fundamental component of international human rights law, essential for attaining gender equality and empowering women worldwide. To delineate and comprehend women's right to education, it is imperative to examine the worldwide legal framework that defines norms and principles guaranteeing gender equality and non-discrimination. All principal human rights treaties underscore the universality and accessibility of education as an inherent right for all individuals, irrespective of gender. (Pillai, 2012)

Article 26 of the Universal Declaration of Human Rights (UDHR) asserts that "everyone has the right to education" (United Nations, 1948). It emphasizes both the universality of this right and the concept of mandatory and free primary education, establishing the standards for subsequent admission to technical and higher education based on merit. (Delbrück, 1992) This foundation emphasizes education as a fundamental instrument for advancing global equality, peace, and empowerment. Education is perceived as both a mechanism for personal growth and a catalyst for social cohesion and progress, illustrating its dual function in human rights—both a governmental duty and an individual entitlement. (Andem & Nwoke, 2021)

The International Covenant on Economic, Social, and Cultural Rights (ICESCR) underscores the duty of States Parties to ensure equal access to education for all genders. Article 3 of the ICESCR requires nations to provide equal access to all the economic, social, and cultural rights specified in the Covenant. Article 13 explicitly expands this commitment by recognizing the universal right to education and outlining state responsibilities. (United Nations, 1967) The right to education signifies a transition from conventional liberal human rights, centered on individual liberty, to a greater state duty. This transition is essential, especially for women's rights, since it highlights the necessity for governmental intervention to eradicate historical obstacles that have hindered women's equal access to education. (Delbrück, 1992)

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is crucial to the international legal framework as it expressly addresses women's rights in education.

Article 10 of CEDAW mandates that nations eliminate gender-based discrimination in education, guaranteeing women equal access to educational opportunities across all levels—primary, secondary, and higher education. (United Nations General Assembly, 1979)

The convention requires the provision of equitable career and occupational guidance, equal access to scholarships and grants, and the elimination of gender stereotypes. The provisions of CEDAW seek to establish an atmosphere in which women can reach their full potential without discrimination. The agreement provides a comprehensive framework to guide governments in the global progress of women's rights, going beyond simply providing access to education and emphasizing the quality and diversity of educational experiences for women. (Singh, 2005) While international law provides a strong framework, governments' commitments must be domesticated and justiciable to be effectively implemented. Despite legal tools such as CEDAW, the real implementation of these rights frequently falls short due to socioeconomic restrictions and a lack of political will. (Andem & Nwoke, 2021)

The UNESCO Convention against Discrimination in Education is another landmark treaty aimed at removing barriers that prevent women and girls from gaining equal access to education. The Convention applies to all stages of education, mandating states to provide equal educational opportunities in primary, secondary, and higher education, as well as vocational and adult education. (UNESCO General Conference, 1960) By addressing discrimination on many grounds, including gender, the Convention emphasizes the importance of comprehensive measures to achieve equal educational opportunities for men and women. It also emphasizes the necessity of having a safe and supportive educational environment, devoid of gender-based violence and harassment, to guarantee that educational institutions are accessible and inclusive for women. (Delbrück, 1992)

The international legal framework ensures women's access to education, but the effectiveness of these guarantees is determined by how states incorporate and enforce these rights locally. Instruments such as the UDHR, ICESCR, CEDAW, and UNESCO conventions offer the required legal framework, but their success is dependent on implementation. States must go beyond legislation to

implement effective policies and build educational systems that cater to the special needs of women, ensuring that educational opportunities are equal and accessible. (Pillai, 2012)

International treaties ratified in Iran and the analysis of the country's Constitution

Iran, as a member of the international community, ratified the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which it signed on April 4, 1968, and ratified on June 24, 1975. (United Nations, 1966) This covenant emphasizes the right to education for all individuals, underscoring the obligations of states to ensure equitable access to elementary education and to progressively establish free education at all levels. While the ICESCR represents a significant commitment to safeguarding the right to education, it is important to emphasize that Iran has not signed numerous other essential international treaties that advocate for educational rights, particularly gender equality. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the UNESCO Convention against Discrimination in Education, and several more treaties remain unratified. This selective ratification raises questions about the complete realization of educational rights in the country, particularly regarding gender equality and the elimination of discrimination in education. (Office of the United Nations High Commissioner for Human Rights [OHCHR], n.d.)

On the other hand, it must be noted that the Constitution of the Islamic Republic of Iran, including the amendments approved by the Constitutional Review Council in 1989, underscores the right to education for all individuals across various fields. Article 3 emphasizes "free education and physical training for all at all levels, along with the facilitation and expansion of higher education." Article 20 states that "all members of the nation, both men and women, are entitled to legal protection and enjoy all human, political, economic, social, and cultural rights under Islamic principles." Article 21 mandates that "the government must uphold women's rights in all areas according to Islamic norms and create conditions conducive to the development of women's personalities and the restoration of their material and spiritual rights." (Bakhshzadeh, Garmroudi, & Entekhabian, 2021)

Lastly, article 30 mandates that the state must offer free education until the completion of secondary school and aims to enhance higher education facilities to the greatest extent possible. The Constitution underscores the significance of education in fostering Islamic values and national progress, guaranteeing that all individuals, irrespective of gender, have the chance to receive educational services. (Islamic Republic of Iran, 1979)

Universal Periodic Review: Changes Over Time

The Universal Periodic Review (UPR) is a process established by the Human Rights Council mandating that each UN Member State undertake a peer evaluation of its human rights records every 4.5 years. Founded in 2006, UPR seeks to enhance human rights globally and obtain recommendations for ongoing advancement. Since 2008, all 193 member states have had three evaluations. (United Nations Human Rights Council, 2024)

In the first cycle of Iran's UPR, the country demonstrated its efforts to improve socioeconomic rights, especially education in poorer regions, as part of its larger human rights program during the first UPR round. The country prioritized women's inclusion in educational activities, reporting increased female literacy and participation rates, especially in rural areas. (Human Rights Council, 2009) However, international delegations raised concern about the systemic impediments that women face, such as discriminatory cultural norms and legislative constraints that limit their access to education. Reports found that, despite the government's promises, considerable gaps persisted, particularly among females from minority communities and isolated locations. (Human Rights Council, 2010)

By the second UPR cycle, Iran has implemented legislative measures to align its human rights policies with international standards, with a particular emphasis on the rights of women and children. The establishment of the Vice-Presidency Bureau for Women and Family Affairs and the National Focal Point for the Convention on the Rights of the Child were mentioned as initiatives towards boosting educational and socio-economic prospects for women. (Human Rights Council & United Nations, 2014a) Despite these legislative advancements, the interactive discussion revealed persisting problems, particularly for women's access to

higher education. Discrimination against women, particularly in educational institutions, remained a major concern, and several delegations criticized Iran for failing to properly address these inequalities. (Council & United Nations, 2014b)

In the third cycle, Iran reported additional progress, including the implementation of the Charter of Citizenship Rights and new legislation targeted at safeguarding women and children, such as the Act on Women's Protection, Dignity, and Security from Violence. The government cited growth in female literacy rates, higher education participation, and political involvement. (Council, 2019) While these achievements were recognized, the Iranian delegation stressed the impact of international sanctions as a major impediment to fully realizing these improvements in women's education and empowerment. During the evaluation, critics pointed out that economic sanctions and internal policy contradictions restricted the impact of these reforms and limited women's access to quality education. (Human Rights Council & Office of the United Nations High Commissioner for Human Rights, 2019)

Throughout the three UPR cycles, Iran's legislative attempts have followed a pattern of addressing women's educational rights within its socio-economic and political settings. Gender-focused organizations and policies, such as the Vice-Presidency Bureau for Women and Family Affairs, aim to boost women's education. (Human Rights Council & United Nations, 2014a) However, despite these efforts, practical enforcement remains slow. Discriminatory practices, both cultural and legal, continue to limit women's educational opportunities, particularly for those who are disadvantaged. (Council & United Nations, 2014b)

Additionally, while Iran has blamed some of its problems on the economic impact of foreign sanctions, critics argue that this does not explain the government's failure to develop an equal educational environment. International observers have noted a disparity between policy and implementation when it comes to women's education access. (Human Rights Council & Office of the United Nations High Commissioner for Human Rights, 2019)

Historical Context: Evolution of Women's Education in Iran

The 1979 Iranian Revolution overthrew the monarchy and instituted the Islamic Republic, altering Iran's political and social

frameworks. Pre-revolutionary Iran undertook socio-cultural and educational changes that broadened women's access to higher education. However, cultural obstacles continue to marginalize numerous individuals, especially women from rural and conservative backgrounds. The Islamic Republic reformed education by implementing an Islamic perspective, mandating gender segregation, compulsory veiling, and curricular modifications that upheld conventional gender norms. Despite these constraints, the government underscored the importance of women's education as essential for the development of an Islamic society, resulting in heightened female enrollment. Iran's progress in women's education was skillfully presented as consistent with international standards but underscoring an Islamic ideological viewpoint that favored state sovereignty. This enabled Iran to selectively interpret and apply international frameworks while creating a narrative of women's empowerment that aligns with its political goals.

Key Policies and Changes in Participation Before and After the 1979 Revolution

In Iran, there was a nationwide protest from 1978 to 1979 that resulted in the overthrow of the monarchy, and the foundation of an Islamic republic on April 1, 1979. (Afary, 2024) Even before the revolution, during the monarchical period, major steps were made to increase women's access to higher education, resulting in a transformative phase in Iran. In 1935, the University of Tehran, the country's first modern university, enrolled both men and women. Reza Shah's policies significantly reshaped Iran in three areas: infrastructure, independence from foreign occupation, and implementing socio-cultural reforms. Concerning women, Reza Shah's extraordinary, yet controversial measures, marked the beginning of the fast elimination of societal taboos and constraints that had restricted women for centuries. (Farzaneh, 2014)

Reza Shah's objective of reforming Iran through a Westernized, secular education system paved the way for his son, Mohammad Reza Shah, to speed up educational changes. By the 1960s and 1970s, the boom in oil profits fueled economic growth, resulting in a greater demand for educated professionals, including women. This time saw an increase in women's educational options, and by the late 1970s, female enrollment in universities had reached a sig-

nificant 30.9%. Despite an increase in the number of women at colleges, a huge percentage of the population—particularly rural women, ethnic minorities, and those from strict religious families—continue to be barred from education. (Shavarini, 2005) Many of these women were either prevented from attending secular schools due to cultural hurdles or did not have access to education at all.

In contrast, the Islamic Revolution of 1979 resulted in a significant upheaval in the educational landscape. The newly founded Islamic Republic tried to distinguish itself from the secular, Westernized policies of the Pahlavi era by reforming the education system with Islamic values. The traditional educational policies were enacted, in contrast to the preceding modern approach of the Pahlavi era, encompassing several measures: prohibiting co-education at all educational levels, except universities; designating female educators for girls' schools and male educators for boys' schools; altering school textbooks to illustrate a traditional division of labor between genders in both private and public domains; enforcing veiling for all female students and educators; and directing students towards "male- or female-oriented" academic fields. (Mehran, 2003) Women were even excluded from specific fields of study, such as veterinary medicine, geology, and natural resources. Furthermore, implementing moral and religious criteria for university admissions restricted women's access to higher education. Notwithstanding these limitations, the Islamic Republic, under the leadership of Ayatollah Khomeini, underscored the significance of women's education, asserting that women were pivotal in the construction of Islamic society. This ideological transformation later led to a restructuring of educational policies. Although numerous restrictions were initially imposed, advocacy by women's organizations, like the Women's Cultural and Social Council, eliminated many obstacles that had previously constrained women's educational opportunities.

By the mid-1990s, Iranian women were permitted to re-enter previously male-dominated sectors, and their presence in higher education increased consistently.

One of the primary reasons for the increase in female enrollment following the revolution was the Islamic Republic's ability to acquire the trust of traditional and religious households. By supporting an educational system based on Islamic beliefs and maintain-

ing gender-segregated environments, the dictatorship made education more acceptable to conservative sectors of the populace, who had previously opposed sending their daughters to secular institutions. As a result, the number of women attending universities increased dramatically. By the early 2000s, women began to outnumber men in several academic programs, and by 2012, women accounted for approximately 60% of Iranian university students, up from 30.9% in the pre-revolutionary period. (Shavarini, 2005) This increase in female enrollment was especially notable since it included women from a wider range of backgrounds, including rural and religious families who had previously been underrepresented in higher education. The Islamic approach to education provided a safer, more socially acceptable environment for women to pursue higher education, allowing the Islamic Republic to claim victory in improving women's educational rights within its ideological framework. This increase in women's educational attainment has had far-reaching consequences, not only in terms of numbers but also in the shifting societal roles of women, as university education became one of the few avenues for Iranian women to change their public role and status in a society still marked by gender inequality.

DISCUSSION OF SOCIETAL CHANGES INFLUENCING WOMEN'S PARTICIPATION IN EDUCATION OVER TIME.

First Stage (1979-1988): Islamization and Politicization

This initial stage, from 1979 to 1988, was marked by profound domestic instability and societal transformation. It was a period of intense political upheaval, characterized by widespread unrest, internal conflicts, political violence, and the consequences of the Iran-Iraq War, which further strained the nation's resources and morale. Economically, the country faced significant hardships, with austerity measures deeply affecting daily life, while internationally, it grappled with isolation, as its revolutionary ideology alienated many global powers. (Karshenas & Pesaran, 1995)

During this time, the revolutionary government prioritized ideology above all else, with a focus on the rigid enforcement of Islamic principles across every facet of society. The state sought to reshape not only the laws and institutions but also the cultural and social fabric of the nation. The ideal citizen was portrayed as a "doctrinaire" Muslim—someone unwaveringly loyal to the state's vision of

Islam—and a "committed" revolutionary, wholly dedicated to the cause. This period glorified self-sacrifice and martyrdom, especially in the context of the war, with individuals expected to embody revolutionary values through both thought and action.

A critical component of this era's transformation was the deliberate effort to Islamize and politicize the role of women in society. Women were not seen merely as passive participants but as central figures in the state's vision of revolution. The ideal woman was depicted as a mother and nurturer who raised devout Muslims, while simultaneously instilling in her children—particularly sons—the values of revolutionary zeal and readiness for martyrdom. The state promoted a highly politicized vision of motherhood, wherein women were expected to serve the revolution by producing and raising the next generation of soldiers, both for the ideological struggle and the physical defense of the nation. (Mehran, 2003)

Second Stage (1988-1997): Reconstruction Era

After the war ended, the period from 1988 to 1997 marked a significant shift in focus as the country embarked on a path of reconstruction and recovery. The devastation left by years of conflict necessitated a new national agenda centered on rebuilding the country's physical infrastructure and social institutions. (Karshenas & Pesaran, 1995) This era saw the introduction of new policy frameworks aimed at fostering economic growth, population management, and the promotion of technical and professional specialization. These changes reflected a broader recognition of the need to transition from revolutionary fervor to a more pragmatic approach to governance and development.

Women, who had been heavily politicized and instrumentalized during the previous stage, were now encouraged to contribute in more practical and diverse ways. The role of women expanded beyond the ideological constraints of the revolution, as the state promoted their participation in all aspects of society—social, educational, political, and economic. Women were increasingly seen as vital actors in the process of post-war reconstruction, contributing to nation-building through active involvement in various sectors. The state advocated for their engagement in formal education, workforce participation, and even in governance, marking a shift towards a more inclusive view of their societal role, although still within the boundaries of state-defined Islamic values. (Mehran, 2003)

Current Period (1997-Present): Reform Era

The current phase, beginning in 1997, has been characterized by a noticeable evolution in the state's ideological and political landscape, often referred to as the "Reform Era." This period has witnessed the introduction of new discourses centered around civil society, political development, and individual rights, signifying a gradual shift from the more rigid, doctrinal approach of previous decades. Concepts such as religious democracy, tolerance, and citizenship rights have gained prominence, reflecting a broader effort to modernize the nation's governance and social structures while still maintaining an Islamic framework.

One of the most significant aspects of this era has been the transformation of the state's approach to women's roles in society. Unlike earlier periods, where women were primarily viewed through the lens of ideological or economic utility, this phase has adopted a more rights-based approach. Women are no longer merely considered instruments for achieving the state's broader goals, whether in the context of revolutionary ideology or economic development. Instead, the focus has shifted towards empowering women for their own sake, recognizing their intrinsic rights and agency as individuals. (Mehran, 2003)

Despite the lack of appreciation to international principles such as CEDAW, the growth of women's education rights in Iran is mostly driven by the state's ideological and political interests rather than an explicit commitment to gender equality. While ratifying the ICESCR, the Iranian government aligns its education policy with the framework of Islamic values outlined in the constitution. This method has allowed the state to promote women's education as long as it contributes to the larger goal of establishing an Islamic society and preserving social stability. Government officials frequently underline that expanding women's access to education is a method to incorporate them into the state's socioeconomic development plans while keeping these possibilities consistent with Islamic teachings.

During UPR cycles, Iranian officials have cited advances in women's education as evidence of their commitment to international norms. They do, however, position this success in an Islamic ideological perspective, presenting increases in female literacy and university involvement as achievements that adhere to Islamic ideals

rather than secular world standards. The Iranian government emphasizes the importance of education for women's roles in the family and society, but it is selective about which treaties it ratifies, implying that international human rights norms are interpreted and applied through a lens that prioritizes state ideology and sovereignty over universal principles. This method enables the state to explain its selective adherence to international frameworks while controlling the narrative surrounding women's empowerment within its sociopolitical structure.

Statistical Analysis of Women's Education

Iran has witnessed considerable increases in female education, with female adult literacy rising from 24% in 1976 to 81% in 2016, and girls completing elementary school virtually uniformly by 2017. Higher education enrollment for women has also increased, from 3% in 1978 to 59% in 2018, indicating a shift toward gender equality in academia. Despite initial obstacles, women's participation in universities has grown, with women outnumbering males in admissions by the early twenty-first century. However, only 20-25% of educated women enter the labor force, demonstrating societal impediments to economic independence and persistent segregation in prestigious fields such as engineering. The Kunkur entrance exam, a crucial factor in university admissions, also reflects broader gender issues. While these accomplishments indicate improvement, Iranian state data must be examined closely due to probable political biases and a lack of independent verification. Despite advances in female education, the disparity between educational options and labor participation highlights the need for institutional adjustments to alleviate long-standing gender inequality and assure women's economic independence.

Analysis of statistical data on literacy rates and female enrollment rates

Female education in Iran has advanced dramatically in recent decades, as shown by significant improvements across a variety of educational metrics. Female adult literacy increased significantly, more than tripling from a modest 24 percent in 1976, during the monarchy's final years, to a remarkable 81 percent in 2016. This major rise in literacy demonstrates the transformative shift in women's access to education in Iran. Similarly, the proportion of

girls who completed primary education experienced a sharp increase, rising from 36% in 1971 to almost universal levels by 2017, when 99% of female students completed primary school. (The Iran Primer, 2020)

The rise in female enrollment in higher education in Iran has been particularly striking, highlighting a significant shift toward gender equality in academia. Women's participation in tertiary education began with a modest 3 percent in 1978, but this figure grew nearly twentyfold to 59 percent by 2018. This remarkable increase reflects evolving societal and institutional attitudes that have progressively opened the doors of higher education to women. Data from the Ministry of Science, Research, and Technology further supports this trend, showing that the percentage of women enrolled in public universities rose from 27.3 percent in 1990 to 44.1 percent by 1999. By the 2001-2002 academic year, women accounted for 50 percent of all university students, with 52 percent of admissions to state universities being female. (Mehran, 2003) This progression not only highlights the expanding role of women in higher education but also suggests an increasing imbalance in favor of women within Iran's academic system in the years to come.

A multitude of causes have led to this tendency. The 1979 revolution, although establishing a more stringent gender framework in certain areas, paradoxically facilitated increased female participation in education. The policies of the Islamic Republic underscored the necessity for an educated citizenry, and although the educational domains available to women were initially restricted to those considered suitable, their access to higher education expanded over time. (Rezai-Rashti et al., 2019) The feminization of higher education has resulted in notable transformations in the social environment, as education serves as both a means of social mobility and, for numerous women, a field of restricted autonomy.

However, challenges persist. Despite high enrollment rates, only 20-25% of educated women enter the workforce. (Shavarini, 2005) This gap between education and employment reveals lingering societal barriers that limit women's economic independence. Furthermore, restrictions on women's participation in prestigious fields such as engineering and computer science continue to reflect systemic gender biases. (Rezai-Rashti et al., 2019) Nevertheless, education remains a critical avenue for Iranian women to challenge

and reshape their roles within the confines of a still largely patriarchal society.

When assessing the official statistics on education in Iran, it is crucial to approach the figures with caution, as the Iranian government's reporting processes and transparency may not consistently conform to democratic and internationally recognized standards. Owing to possible political reasons and an absence of independent verification processes, certain facts may be shown in a manner that aligns with the government's preferred narrative rather than the real circumstances. Consequently, it is essential to analyze these statistics with pragmatic metrics, recognizing the potential for discrepancies and taking into account corroborative data from external, independent sources where accessible.

UNDERSTANDING HIGHER EDUCATION ADMISSIONS IN MORE DETAIL

To gain a deeper understanding of the factors that drive young Iranian women toward higher education, it is essential to analyze the foundational stage of their academic journey—high school. In Iran, secondary education culminates in a high school diploma after three years. However, students who choose to pursue a fourth year embark on a specialized, academically demanding college-preparatory track, focusing primarily on the Kunkur, the highly competitive national entrance examination for universities. This exam serves as a crucial gateway for higher education, dictating the futures of students who aspire to secure a place in public universities—widely regarded as the most prestigious institution in the country.

Remarkably, more than two-thirds of Iranian high school students choose not to continue into higher education, illustrating the immense pressure and selectivity of the academic system. Of those eligible to extend their studies into the fourth year, only 36% choose to do so, a decision that renders them qualified to sit for the Kunkur and compete for university admission. The intensity of the fourth year is undeniable, as students dedicate their time almost exclusively to preparing for this exam. The Kunkur is not merely an academic test; it represents a social rite of passage and an aspirational peak for over 1.5 million Iranian youth annually, although only a small fraction—approximately 10% of each age cohort—will ultimately be granted admission to public universities.

The gender dynamics of this process have evolved significantly over time, particularly in the early 21st century. In 2001, out of those who successfully passed the Kunkur, 61,000 (40%) were men, while a striking 91,000 (60%) were women. This marked gender gap has only widened in subsequent years. By 2003, 62% of those passing the exam were women, with men making up just 38% of successful candidates. (Shavarini, 2005) This growing disparity highlights a broader societal shift: fewer men are deciding to take the Kunkur, and of those who do, an even smaller percentage manage to pass. The trend reveals an increasing divergence in educational attainment between men and women, a phenomenon that has far-reaching implications for gender roles, professional opportunities, and socioeconomic mobility within Iran.

The preference for public universities over private ones further adds to the stakes, as public institutions are perceived to offer superior education and greater career prospects. This reality amplifies the pressure on students, particularly young women, who view higher education as a critical pathway to upward mobility, autonomy, and professional success in a society where opportunities are often limited.

In summary, while the admissions system in Iran's higher education appears gender-neutral and has allowed more women to excel academically, persistent challenges in employment and field segregation reflect deeper societal constraints that need to be addressed for true gender equality. (Kheiltash, 2013)

CONCLUSION

The progress in women's education in Iran over the last few decades is a paradox, revealing both positive gains and ongoing obstacles. On one hand, the country has seen a significant rise in female literacy rates, and women now outnumber men in many academic institutions. This shift reflects a gradual transformation in societal attitudes toward female empowerment through education. For many Iranian women, education has become a vital tool for social mobility, professional growth, and personal fulfillment, offering hope for broader gender equality.

However, this progress is overshadowed by the reality that women's rights in Iran remain in crisis. While women have achieved academic success, their ability to translate education into professional or political empowerment is limited. Systemic barriers are

deeply embedded in Iran's legal and political structure, which merges religion with state authority. The Islamic Republic's constitution and laws, shaped by religious doctrine, continue to restrict women's freedoms, undermining their educational gains. Women face workplace discrimination, limited job prospects, and legal constraints in areas such as family law and employment.

A central challenge is the inseparability of religion and state law, which upholds traditional gender roles and entrenches inequality. While Islamic principles have, in some cases, enabled educational access, they also legitimize unequal treatment in key aspects of life. This contradiction creates a paradox where education empowers women but does not guarantee broader equality. Without meaningful reform, the alignment of religious values with state governance will continue to limit progress, leaving women in a state of precarious empowerment.

This contradiction is particularly stark amid global movements advocating for women's rights and human rights-based governance. Iran's integration of religion and law poses unique challenges to equality. Iranian women find themselves in a painful limbo—recognized for their academic achievements, yet denied full access to rights and opportunities. The gap between educational progress and legal stagnation reflects a deeper crisis in gender equality.

In sum, while women's educational attainment is a major milestone, it alone cannot dismantle the legal and ideological structures that maintain inequality. Real progress requires structural reforms that prioritize gender equality and individual freedoms beyond religious prescriptions. Only then can Iran fully unlock the potential of its women, enabling them to thrive not just in education, but in all spheres of society.

Bibliography

Afary, J. (2024, September 9). *Iranian Revolution | Summary, Causes, Effects & Facts*. Encyclopedia Britannica. [Viewed 15 September 2024]. Available at: https://www.britannica.com/event/Iranian-Revolution#ref282637

Andem, P., Nwoke, T. W., & University of Public Service. (2021). An Appraisal of States' Obligations to Actualize the Right to Education under International Law. *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 12(2), 106–118.

Bakhshzadeh, O., Garmroudi, M., & Entekhabian, O. (2021). The Right to Education and Study and Women's Labor Rights in Iranian Jurisprudence and Law and the UNESCO 2030 Document. *Propósitos y Representaciones*, SPE(3), e1123. [Viewed 2 October 2024]. Available at: http://dx.doi.org/10.20511/pyr2021.v9nSPE3.1123

Council, H. R. (2019). Report of the Working Group on the Universal Periodic Review of the Islamic Republic of Iran. *Human Rights Council*. (A/HRC/43/12). [Viewed 11 October 2024]. Available at: https://documents.un.org/doc/undoc/gen/g19/354/36/pdf/g1935436.pdf

Delbruck, J. (1992). The Right to Education as an International Human Right. *German Yearbook of International Law*, 35, 92–104.

Farzaneh, D. (2014). One Step Forward, Two Steps Back: A Brief History of Legal Discriminations Against Women in Iran and the Violations of International Human Rights. *Annual Survey of International & Comparative Law*, 20(1), 212. [Viewed 10 October 2024]. Available at: https://digitalcommons.law.ggu.edu/annlsurvey/vol20/iss1/12/

Human Rights Council. (2010). Report of the Working Group on the Universal Periodic Review: Islamic Republic of Iran. *United Nations*. (A/HRC/14/12). [Viewed 12 October 2024]. Available at: https://documents.un.org/doc/undoc/gen/g10/120/56/pdf/g1012056.pdf

Human Rights Council & Office of the United Nations High Commissioner for Human Rights. (2019). Compilation on the Islamic Republic of Iran. *United Nations*. [Viewed 11 October 2024]. Available at: http://www.ohchr.org

Islamic Republic of Iran. (1979). *The Constitution of The Islamic Republic of Iran*. [Viewed 3 October 2024]. Available at: https://irandataportal.syr.edu/wp-content/uploads/constitution-english-1368.pdf

Karshenas, M., & Pesaran, M. H. (1995). Economic Reform and the Reconstruction of the Iranian Economy. *Middle East Journal*, 49(1), 89–111. [Viewed 10 October 2024]. Available at: https://www.jstor.org/stable/4328773

Kheiltash, O. (2013). *The New Majority: A View into the Motivations and Aspirations of Iran's Women in Higher Education*. University of California, California Digital Library. [Viewed 10 October 2024]. Available at: https://escholarship.org/uc/item/0459h7nv

Mehran, G. (2003). Gender and Education in Iran. (2004/ED/EFA/MRT/PI/50). *UNESCO*. [Viewed 10 October 2024]. Available at: https://unesdoc.unesco.org/ark:/48223/pf0000146809

Part 5: Statistics on Women in Iran. (2020, December 10). *The Iran Primer*. [Viewed 15 September 2024]. Available at: https://iranprimer.usip.org/blog/2020/dec/09/part-5-statistics-women-iran

Pillai, S. (2012). Right to Education and International Law - Defining the Right. *GNLU Law Review*, 3(2), 53–70.

Rezai-Rashti, G. M., Mehran, G., Abdmolaei, S., Anne M., Harris, S., Holman Jones, S. L., et al. (2019). Women, Islam, and Education in Iran. In E. F. Henderson & Z. Nicolazzo (Eds.). *Palgrave Handbook of Gender and Education*.

Shavarini, M. K. (2005). The Feminisation of Iranian Higher Education. *International Review of Education*, 51(4), 329–347. [Viewed 10 October 2024]. Available at: https://doi.org/10.1007/s11159-005-7738-9

Singh, K. (2005). The Right to Education: International Legal Obligations. *International Journal for Education Law and Policy*, 1, 103–118.

UNESCO General Conference. (1960). *Convention against Discrimination in Education*. [Viewed 8 October 2024]. Available at: https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education#item-1

United Nations. (1948). *Universal Declaration of Human Rights*. [Viewed 8 October 2024]. Available at: https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf

United Nations. (1967). *International Covenant on Economic, Social and Cultural Rights*. [Viewed 5 October 2024]. Available at: https://treaties.un.org/doc/Treaties/1976/01/19760103%2009-57%20PM/Ch_IV_03.pdf

United Nations General Assembly. (1979). *Convention on the Elimination of All Forms of Discrimination against Women*. [Viewed 8 October 2024]. Available at: https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/cedaw.pdf

United Nations. (2006). Resolution adopted by the General Assembly on 15 March 2006. In *United Nations* (A/RES/60/251). [Viewed 3 April 2025]. Available at: https://documents.un.org/doc/undoc/gen/n05/502/66/pdf/n0550266.pdf

Universal Periodic Review. (2024). *United Nations Human Rights Council*. [Viewed 11 October 2024]. Available at: https://www.ohchr.org/en/hrbodies/hrc/home

View the ratification status by country or by treaty. (n.d.). *UN Treaty Body Database*. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=81&Lang=EN.

ESSAY

CAUGHT IN CROSSFIRES – EXPLORING THE TRAGEDY OF CHILD SOLDIERS IN SOUTH SUDAN AND UGANDA

Vivien Besenyei

ABSTRACT

The recruitment and the use of child soldiers are well-known mechanisms in conflict nowadays, especially in the African region. This article explores the recruitment and exploitation of children in armed conflict, examining the damage on the children's psychological, social, and emotional development. The long-lasting effect of being a child soldier sometimes ends up in the warzone again, and sometimes they are not able to integrate into the society again, even though the society provides reintegration programs. Thousands of children have been recruited by rebel forces both in South Sudan and Uganda.

Keywords*: child soldiers, Africa, reintegration, conflict, civil war, trauma*

INTRODUCTION

According to the Paris Principles on the Involvement of Children in Armed Conflict (2007), child soldier means: A child associated with an armed force or armed group" (Paris Principles, 1993). It also refers to any person under the age 18 who has been recruited or used by an armed force or armed group.

Children involved in armed conflict often suffer long-term psychological, physical, and social consequences. They might witness or even commit atrocities, do not have access to education, suffer from different kinds of mental diseases, and find themselves stuck in reintegration. Helping a former child soldier to reintegrate into society is a complex process that needs ongoing support and active involvement of the international community. Despite global efforts, the phenomenon of child soldiers exists in multiple countries, especially in Africa. Armed groups continue to exploit children's vulnerability. The political instability and poverty contribute to the use of children and make it difficult to implement protections. The international community tries to solve the issue with legal forces and hold accountable by the International Criminal Court (ICC) to stop the exploitation of children.

This comparison between South Sudan and Uganda offers insight into the broader issue of child recruitment as a war crime, the national dynamics which has a serious impact on the use of children in the areas, and the responses from the international community and the reintegration efforts. By analysing the root of the conflicts, the recruitment methods, and international and national responses in the context, this article highlights the importance of legal accountability, social reintegration, and peacebuilding efforts in addressing one of the most serious violations of children's rights in modern conflicts. Child exploitation started a long time ago in Uganda, and it was a special phenomenon (because of the terrorist group's ideology), while in South Sudan, the child recruitment process started in 2014. The article seeks to find the differences and similarities between the South Sudanese and the Ugandan use of children and shed a light on the importance of the international community's involvement.

CHILDREN' STATUS IN AN ARMED CONFLICT

The main issue with child soldiers is how they are classified in an armed conflict: can they be recognized as combatants or civilians?

According to International Humanitarian Law, combatants are persons who are authorized to use force in situations of armed conflict. A person is recognized as a combatant after fulfilling the criteria. It is important to say that combatants do not enjoy protection from any military attack, which means that the direct attack towards them is *prima facie* lawful under International Humanitarian Law (IHL), and combatants have the right to participate directly in hostilities, and if they are captured, they enjoy prisoner-of-war status. Under the Third Geneva Convention, the members of the army are considered combatants (Cassese, A., Gaeta, P., Viñuales, J. E., & Zappalà, S., 2020). They should distinguish themselves from civilians by openly wearing distinctive uniforms and their weapons. The following persons are combatants in an international armed conflict: a) members of the armed forces (except medical and religious personnel, b) members of other militias and members of volunteer corps, c) Participants in a *levée en masse*.

On the other hand, all the persons who are not combatants are recognized as civilian in an international armed conflict or have a special status, such as ICRC or peacekeepers. Under the IHL, a person who has a civilian status cannot be attacked by a person who has a combatant status (Geneva Conventions 1949).

The complexity of child soldiers starts from their status in an armed conflict. Under international law, children under the age of 18 should not be recruited or used in hostilities. In addition, under the Rome Statute of the International Criminal Court, the recruitment of children under the age of 15 is considered as a war crime (Rome Statue, 2002). According to this information, their participation is not legally recognized. It is important to emphasize that combatants are allowed to attack only military objects, and lawful combatants cannot be held legally responsible for lawful acts of war, they can be prosecuted only if they violate IHL or commit war crimes (Dörmann, K. (2003b). The term "unlawful combatant" does not refer to children, because they fail to meet the criteria of combatants, nor award civilian status under IHL.

CHILDREN'S RIGHTS

In the chaos of the conflict, it is the children who suffer the most. Despite the existence of the international legal framework for the protection of children, they are exposed to grave violations of their fundamental rights. The 1989 Convention on the Rights of the Child (CRC) is the first legally binding international treaty that recognizes children not just as objects of care and protection, but also as independent rights-holders. The CRC covers the civil, political, social, and cultural rights of the children. According to the CRC, it bans the recruitment of children under the age of fifteen, but includes that between the age of fifteen and eighteen, the States should give priority to the older ones who want to join the military. It means that it is not prohibited, but discouraged. The First Protocol of the Geneva Convention prohibits the use of children under the age of fifteen as well (Convention on the Rights of the Child, 1989). Uganda and South Sudan ratified the treaty (UNICEF Uganda, 2017).

The Paris Principles defines the minimum age as 18, and refers to all kinds of hostility, such as cookers, fighters, etc (Paris Principles, 1993). Uganda and Sudan signed the Paris Principles in 2011 (Red Cross, 2011). The African Charter defines the child's minimum age as 18, and the Charter includes that the State should not support the recruitment and should do everything to stop the use of child soldiers (African Charter on the Rights and Welfare of the Child, 1999). The Rome Statute of the International Criminal Court considers child recruitment under the age of 15 as a war crime (Rome Statue, 2002). According to the determination of the minimum age, the Ugandan government declared that the minimum age of recruitment is 18, with the country's accession to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Becker, J., 2023).

Some sources of law determine the age of legal child recruitment differently, which causes additional problems and questions in case of the use of children. Due to the different regulations, some countries, it is hard to take accountability because of these differences. The international community thought that under the age of fifteen

it is harder to protect the children, which is why there is a difference between the newer international sources of law (Convention on the Rights of the Child, 1990).

Influencing factors of child recruitment

Children's function in an armed conflict can be different: it can be forced, and it can be a necessity to survive. In the first scenario, children are forced to take part in the military in order to get independence, or to meet social expectations (to be seen as masculine or the father was a member of an armed force). On the other hand, some children believed in hard political times that the only way to survive was to join the military for example during the Nazi-occupied Europe, when children took part in armed conflict to not ending up in labor camps (Hart J., 2006). Another important factor that influences the children's will is poverty, and sometimes the abductors promise that they will give money to the family if the child joins the military. In addition, a child's willingness is questionable in this context, because if they have no other choice, they will join the military, and it cannot be seen as their own will.

According to the report from Save the Children, children sometimes join armed groups or forces out of necessity. The economic struggles and lack of access to education often leave the children vulnerable to recruiters, who offer money and protection to them (Save the Children, 2023). The abduction processes are brutal; these children are abducted on their way to school, or home, and sometimes they get kidnapped during a "town-cleaning", when terrorist groups take over a town or a village. These methods are common in the African continent; fewer children join voluntarily there, especially when the tension is high in the country (Theirworld, 2025).

The methods that were used during the abduction and the training process were brutal. The Lord's Resistance Army's (LRA) activity was extremely serious in Uganda during the 1990s. The LRA abducted numerous children and trained them completely, so that these children would be loyal to the leaders. Their methods were characterized as psychological terror and manipulation; they indoctrinate the children using psychological control. They used violence against children as a punishment and moved these children far

away from their homes and disoriented them (Kelly, J. T., Branham, L., & Decker, M. R., 2016).

CHILDREN'S ROLES IN AN ARMED CONFLICT

It is important to determine the children's different roles in armed conflict. Children are recruited to fulfil the fighter role, but there are cases where they are used to carry supplies, gather intelligence, cook, act as messengers, and sometimes they are used for sexual purposes (International Committee of the Red Cross, 2025). The reason why children are being used during an armed conflict is that they can hold weapons and terrify civilians and combatants as well. Their physical ability and military skill were not efficient, they were not even trained for fighting on the battlefield face-to-face. Even if they were, there is a possibility that they died immediately (Ráhel, C., 2018).

Girls play different roles in armed conflicts than boys; they are sexually exploited and sometimes forced to marry an older soldier. Moreover, sometimes they get pregnant by accident, so they have to give birth to the children in terrible conditions (UN Women, 2014). Girls involved in armed conflicts face severe challenges, including forced recruitment, sexual violence, and societal stigma. Their roles extend beyond combat, encompassing support functions such as cooking, portering, and serving as messengers. Many girls are subjected to sexual exploitation, forced marriages, and early pregnancies, leading to profound physical and psychological trauma. These experiences not only violate their rights but also make hard for their reintegration into society post-conflict, especially when they got pregnant by a soldier. When they come back, there is a chance that they will not be able to forget all the trauma because the child reminds them about it (Children and Armed Conflict, 2014).

THE MENTAL HEALTH PART OF THE USE OF CHILDREN

Many studies show that the health risks of taking part in armed conflicts as a child are severe, and sometimes these risks are incurable. These are the most commonly diagnosed mental conditions that were diagnosed among adults who were abducted as a child

and were taking part in military operations: post-traumatic stress disorder (PTSD), depression, acute stress reactions, attention deficit hyperactivity disorder, panic disorder, anxiety disorders specific to childhood, and sleep disorders (International Review of the Red Cross, 2017).

Some reports say that the released children will experience adverse mental health in adulthood. A report with a Ugandan person says that a 27-year-old person (who was abducted as a child by the LRA in Uganda) has different sleeping problems and paranoia. He was dreaming about the trauma he had experienced when he was a child soldier (Mark, M., 2024).

PTSD is one of the most well-known disorders that affects children who take part in armed conflicts. A mental health disorder can arise after going through or witnessing a traumatic event. Even though it is a natural response to trauma, it can persist in the long-term and interfere with the person's daily life and daily tasks after that it is a disorder. People who are suffering because of PTSD may experience the traumatic events repeatedly. These experiences can show up in nightmares, memories, or even flashbacks. Their sense of danger is also higher, even when they live in peace after a traumatic event. In the case of younger children, the symptoms include behavioral changes and can re-enact the traumatic events during playing or drawing, and children might blame themselves for what happened (World Health Organization: WHO., 2024). Not just the conflict itself, but also the post-conflict environment has a significant role in shaping a disorder (Singh, A. R., & Singh, A. N., 2010).

These children face hard challenges readjusting their lives again, especially when they use drugs, which is common during the training process. The amount of drugs that they got made them aggressive and violent, so the reintegration process was sometimes ineffective because they resisted, which means the drugs caused permanent damage to their brain. According to an NGO report, 95 percent of the children in the military were drugged, most commonly with marijuana. One child said in a report that he was kidnapped when he was 15, and he also used drugs. He explained that the reason they were forced to do drugs was because with them, they could forget about their home and their family (Institute for War and Peace Reporting, 2010).

UGANDA

The Lord Resistance Army (LRA) was a military group led by Joseph Kony, who commanded to abduct of numerous children and then trained them into monsters, such as Dominic Ongwen. The military group was active during the late 1980s (Bunting, & Ikwebe., 2025). The ICC issued an arrest warrant against Joseph Kony and other commanders, such as Dominic Ongwen, whose trial was completed in 2021 after 4 years of investigation (Human Rights Watch, 2010).

The ideology had a significant impact on the LRA's activity: the members of the group had a cultic ideology; they intended to establish a theocratic state. Their ideology included that they posit individuals outside the military organization and characterize them as impure or stigmatize them as "they deserve death" as a punishment. They adopted a policy that includes that abducting a child is legal, so they started the recruitment process (they mostly forced children to join, and some of them died because they wanted to escape) (Children and Armed Conflict, 2012). These attacks mostly occur during an invasion of a village, and they take children for several reasons: They are small, easy to train, and easy to replace. Girls and boys played different roles in the conflicts and in the armed group as well, which was discussed before in the study. The "training" process was extremely brutal for the victims: sometimes they were not allowed to speak in their native language or to communicate with others. In addition, public violence was a way to prevent any law-breaking and was a normal way to "educate" the abducted victims. Also, killings and beatings were normal (Kelly, J. T., Branham, L., & Decker, M. R., 2016). In 2004, the government forces made progress in the civil war: they weakened the LRA and started rescuing abducted children and adults (UNHCR's Global Law and Policy Database, 2024).

The LRA was operating in the neighbouring countries as well, especially in Sudan. The abducted children sometimes ended up in a bush in Sudan, with a lack of access to food and water. According to the Human Rights Watch report, the living conditions were better in the Ugandan LRA camp than in Sudan (Human Rights Watch, 2023). The activity caused a huge amount of violence and

displacement (IDMC - Internal Displacement Monitoring Centre, 2013).

UGANDAN REINTEGRATION PROCESS

In the case of reintegration, the DDR programs played a significant role after the conflict ended. The DDR programs[1] include disarmament, demobilization, and reintegration, which usually occur when a conflict ends to stabilize the country. The DDR programs were started in 1992, with the involvement of the World Bank, and the first initiative occurred in Uganda. It was the Uganda Veterans Assistance Program (World Bank, 2013).

Ugandan people thought that the veterans posed a threat to civilisation, because they were brain-washed with ideology, and there was a possibility that they would start the conflict again. They had military skills, especially those who were abducted as a child (6-9 years old). The Uganda Veterans Assistance Program (UVAB) was assisted by 3 key components: demobilization, reinsertion assistance, and reintegration. The reinsertion assistance was in connection with lands. The victims and their families gained land for economic reintegration, so they could cultivate land and earned money from this activity. The social part of the reintegration was the hardest; the veterans were seen as criminals, and people were uncertain about them (World Bank, 1997). With the lands, veterans could show that they want to change and reintegrate into society again, living a normal life with a normal family and forgetting about their military activity.

According to the 2023 humanitarian report made by the UNICEF in Uganda, the educational opportunities got better in 2023, and the UNICEF also provided remedial learning support to 13,583 people who are over-age for their grades, and implemented an integrated UPSHIFT program which is a program for people who are out of school but still need to gain skills for employment. In the case of child protection, UNICEF deployed officers, social workers, and community-based services in Mental Health Psychosocial Support. UNICEF is also supporting awareness in connection with gender-

[1] See more about statebuilding: Pongrácz-Rada, 2023, Pongrácz-Rada, 2024; Rada, 2009.

based violence and sexual exploitation, and 105,089 people benefited from Protection from Sexual Exploitation and Abuse (PSEA) awareness. The PSEA team ensures that the affected population understands the importance of responding to these risks and communication so that people will not feel scared or threatened by telling their story to a human rights service and reporting it for consequences (UNICEF, 2024). In 2024, UNICEF and its partners provided 83,526 children in need access to formal and non-formal education (UNICEF, 2024). The educational opportunities and raising awareness in children can prevent another crisis from happening, because they can report these atrocities and they will be aware of their rights.

With the reintegration processes and the compensation with lands, the standards of living in Uganda increased, even though the reintegration was complicated because of the aforementioned factors. The predators are to be held accountable by the International Criminal Court. Joseph Kony's case is going to start on 9 September 2025, and he is suspected of 36 counts of war crimes and crimes against humanity (International Criminal Court, 2024). In the case of Joseph Kony, it is only a conformation of charges part of the trial.

South Sudan

The long-lasting war in Sudan resulted in poverty and underdevelopment in South Sudan and became one of the most underdeveloped countries in the region, and the children quickly became one of the most vulnerable targets of armed groups (Illés Zoltán, I. I., 2011). People believed that the secession would promote peace in the country, but a political disagreement between the government and the Sudan People's Liberation Army increased the tension. (International Criminal Court, 2024)

From 2014 to 2015, children were either involved with or had previously been involved with armed forces and groups linked to the Dinka, Nuer, and Shilluk tribes, primarily in the states of Unity, Jonglei, and Upper Nile. The age of these children was approximately between 15 and 17 years old, and they were recruited by both the government SPLA and the Sudan People's Liberation Army-in-Opposition. The boys who were younger than 14 years old

did not fight but worked as cooks or bodyguards for the commanders. According to the Human Rights Watch's (HRW) report, they were made to walk for days and fight without adequate food. They were forced to sleep outside, and if they were injured, they did not get any medical care. These young boys have seen their friends die or suffer and could not do anything. The children did not attend school during their period of time, and all said that they wanted to study instead of fighting on the battlefield. The report reveals the brutality of child soldier recruitment in South Sudan; these children were forcibly taken from their families, trained for combat, and subjected to severe abuse. Both government and rebel forces violated international laws by recruiting children and using them in hostilities under 18 (Human Rights Watch, 2023). In 2018, the Revitalized Peace Agreement was signed in South Sudan, which was planned to mitigate the conflict (Otieno, O. J., 2019), but this only led to pause of it. In 2019, 7 million people left the country because of food security and low access to humanitarian aid.

Reintegration in South Sudan

Former child soldiers are still suffering from the trauma of war, they experienced death and brutal things, which influenced their well-being and mental health. Some children said in reports which were taken by the UNICEF, that every day was a nightmare in the military camp, and they could not do anything but just cope with everything. Sexual violence was a part of the military, they said; sometimes they needed to watch a sexual exploitation (Global Partnership for Education, 2022).

In 2018, more than 100 children were released by the two-armed groups; the total number of released children was 900 this year. During the release ceremony, the children wore normal, daily clothes and they were disarmed. UNICEF was making sure that these children would get mental support after this traumatic experience. The World Food Program helped those children and families with food and vocational training, in order to prevent food security (UNICEF, 2018). According to the 2024 UNICEF report on South Sudan, the organization tries to solve the educational gap in the country by providing learning opportunities and raising awareness, and offering psychological support. This activity is similar to the one that took place in Uganda (UNICEF, 2024).

The tension has not ended in the country, so the United Nations Security Council decided to extend the mandate of UNMISS until 30 April 2026 in order to prevent another civil war to happen(Security Council Report, 2025). The April 15, 2025 Security Council's briefing on South Sudan reported about the escalating humanitarian crisis, with a particular focus on the serious situation facing children. UN officials reported that approximately 9.3 million people require humanitarian assistance, with children comprising half of this number. Alarmingly, 650,000 children under the age of five are at risk of severe acute malnutrition this year. The report highlights the urgent need for humanitarian assistance in South Sudan and that the international community should prioritize child protection (Security Council Report, 2025)

FUTURE INSIGHTS

The number of child soldiers that are actively used in South Sudan is decreasing; in 2020, 900 children were released from the armed group, which shows a positive direction to end the nightmare (UNICEF, 2018).

The Revitalized Peace Agreement was about to solve the conflict peacefully. Even though the civil war ended, the ethnic tension is still high between the government and the rebel group. The following elections were officially pointed in 2023, but it was postponed to 2026. The Revitalised Peace Agreement should be enforced in order to mitigate the tension in the country, which requires fair elections as well. The UNMISS's role is significant in the area, without it, the tension would escalate, but the mission is criticized regarding its response to the attacks. Moreover, some experts say that South Sudan does not get as much attention as it needs. The international community should focus more on the UNMISS mission (Wells, M. 2016). The international community cannot solve the tension in the country; it can just mitigate and help with humanitarian assistance, deploying peacekeepers, and doing other tasks which was determined by the United Nations Security Council. Referring to the above-mentioned actions made by the UNICEF, the existence of the international community in wartime countries is essential to fight for peace and stability (Yahyai O. A., 2025).

The influence of the neighbouring countries plays an important role in shaping the youngest country, especially the situation in Sudan. Even though Sudan and South Sudan separated in 2011, the conflict has not ended in either South Sudan or Sudan. According to the UNHCR, South Sudan is experiencing one of the largest refugee crises in the world. The majority who are coming to South Sudan were from neighbouring countries where violence, sexual exploitation, and civil war have occurred.[2] Emigration is also significant in the area, especially towards Ethiopia. There are more women and children who are running away from their home country. Moreover, some refugee children do not have parents anymore, because they died during the conflict or the migration; this has a connection with child recruitment. Those children who do not have parents anymore are easy to manipulate, in addition, they feel extremely lonely, and they want to join a group where they feel secure. These manipulated children will even join to the military volunteer (UNCHR, 2023).

Food security is also highly connected to the use of child soldiers in the country; more than 7.69 million people are acutely food insecure and do not have adequate sources of normal food. (UN World Food Programme (WFP), 2024)

CONCLUSION

Child exploitation among military forces in conflict zones, such as in South Sudan and Uganda, remains one of the most inhuman challenges in the 21st century society. While the number of recruited children has decreased, the problem has not been solved, and the many predators need to take accountability. The solution for child soldiers is an extremely complex question. The article shows how various factors such as migration, political instability, and cross-border tension contribute to the phenomenon.

The intervention of the international community plays a vital role: the predators were held accountable in Uganda, which is a significant step to stop the use of children. Moreover, international legal

[2] See more about refugees and regional security: Greenhill, 2010, Restás-Stepper, 2019, Stepper, 2014.

regulations determine the crimes. The article shows that during child recruitment, many more crimes may occur in the conflict area, such as abduction and sexual exploitation. This allegation supports the fact that the issue of child exploitation should end, and the international community has to take more steps to mitigate the problem in African continent, such as deploying more integration programmes. To take more effective steps, the national legislation should codify legal sources in order to stop child recruitment. The Ugandan Constitution already includes the ban on child recruitment, which is a significant step toward protecting the children's rights. The major obstacle between international norms and national norms is the difference between European and African norms. The cultural and political differences have an impact on the assessment of children; in Europe, children are protected in many ways while in Africa these children are fighting for their lives. This nightmare must end.

The complexity of the African conflicts, including cross-border tensions and civil wars cause further difficulties in enforcement and protection. The deployment of the UNMISS is inevitable in South Sudan, which can be seen from the fact that 900 children were released in 2018. The cross-border issue addresses a serious challenge for the peacekeepers even, because they need to ensure that the instability does not cross the border and cause more problems. These days, the Ugandan President Yoweri Museveni met the South Sudanese officials in Juba, and he expressed his concerns about the country. Museveni was one of the guarantors of the Revitalized Peace Agreement, and South Sudan highly appreciates Uganda's commitment to the implementation of the agreement. Referring to this information, we see that Uganda does not support violence and wants to stabilize South Sudan (AP News, 2025).

National steps are inevitable to stop the use of children in South Sudan. According to the African Charter on the Rights and Welfare of the Child, States should not let child recruitment occur in other countries in Africa (African Charter on Rights and Welfare of the Child, 1999). Even though South Sudan and Uganda ratified the treaty, both countries experienced extreme effects of child recruitment. Establishing the Hybrid Courts in South Sudan would result in determining changes in the country. With that opportunity, the

predators can be held accountable by national forces. The international community should support the establishment of hybrid courts in South Sudan in order to achieve justice. The international community could support it by providing training to lawyers and supporting the transition to a democratic role in South Sudan.

The use of children must be seen as a human tragedy, not as a legal or political issue. These children lose their childhood and experience horrible things that will accompany them throughout their lives. This destroys their view of the world and causes them various mental issues. These children sometimes turn into predators and take revenge on other ethnic groups because they are miserable. Children, who turned into instruments of war carry deep scars, and the violence that they have experienced may continue if they do not get the opportunity to heal and reintegrate into society. The examination of the Ugandan reintegration programs shows that these programs are highly effective and give opportunities to children to reintegrate into society. The international community must continue to fight for children's rights and support both global and local initiatives aimed at ending the use of children.

BIBLIOGRAPHY

1989 Convention on the Rights of the Child, Article 38. 2)
Additional Protocols I.
African Charter on the Rights and Welfare of the Child
Becker, J. (2023). Stolen children: In Human Rights Watch. https://www.hrw.org/report/2003/03/28/stolen-children/abduction-and-recruitment-northern-uganda
Best practice in war-to-peace transition : the Uganda Veterans Assistance Program. (n.d.). World Bank. https://documents.worldbank.org/en/publication/documents-reports/documentdetail/725841468318581941/best-practice-in-war-to-peace-transition-the-uganda-veterans-assistance-program
Bunting, & Ikwebe. (2025, May 15). Lord's Resistance Army (LRA). Encyclopedia Britannica. https://www.britannica.com/topic/Lords-Resistance-Army
Cassese, A., Gaeta, P., Viñuales, J. E., & Zappalà, S. (2020). Cassese's international law.
Child rights governance. (n.d.). UNICEF Uganda. https://www.unicef.org/uganda/what-we-do/child-rights-governance
Child Soldiers: Understanding Recruitment and Rehabilitation. (2025, April 15). Theirworld. https://theirworld.org/resources/child-soldiers/
Combatants | How does law protect in war? - Online casebook. (n.d.). https://casebook.icrc.org/a_to_z/glossary/combatants
Combatants | How does law protect in war? - Online casebook. (n.d.). https://casebook.icrc.org/a_to_z/glossary/combatants
Dörmann, K. (2003b). The legal situation of "unlawful/unprivileged combatants." Revue Internationale De La Croix-Rouge/International Review of the Red Cross, 85(849), 45.
Drug addiction hinders child soldier reintegration. (n.d.). Institute for War and Peace Reporting. https://iwpr.net/global-voices/drug-addiction-hinders-child-soldier-reintegration
Hart, J. The Politics of "Child Soldiers." The Brown Journal of World Affairs, 13(1), 217–226
Illés Zoltán, I. I. (2011). Dél-Szudán: Egy független állam létrejötte és kihívásai. Külügyi Szemle, 2, 123–145.
International Criminal Court. (n.d.). Information on the Kony case. https://www.icc-cpi.int/uganda/kony/information-on-the-kony-case
Joseph Kony - Lord's Resistance Army | Human Rights Watch. (n.d.). https://www.hrw.org/topic/international-justice/joseph-kony-lra
Kelly, Greenhill (2010). *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy*, Cornell University Press, Ithaca & London.
Kelly, J. T., Branham, L., & Decker, M. R. (2016). Abducted children and youth in Lord's Resistance Army in Northeastern Democratic Republic of the Congo (DRC): mechanisms of indoctrination and control. Conflict and Health, 10(1). https://doi.org/10.1186/s13031-016-0078-5
Living through war: Mental health of children and youth in conflict-affected areas. (2019, August 1). International Review of the Red Cross. https://international-review.icrc.org/articles/living-through-war-mental-health-children-and-youth-conflict-affected-areas
LRA-related displacement in central Africa: An end to the emergency, but not to IDPs' needs. (n.d.). IDMC - Internal Displacement Monitoring Centre. https://www.internal-displacement.org/publications/lra-related-displacement-in-central-africa-an-end-to-the-emergency-but-not-to-idps/
Mark, M. (2024, August 21). Joseph Kony child soldier returns to terrorised boyhood village. The Guardian. https://www.theguardian.com/world/2013/jul/23/joseph-kony-child-soldier-return-uganda-lra

NezamTaies,Marc,Alexandre. (n.d.). Disarmament, demobilization and reintegration. World Bank. https://documents.worldbank.org/en/publication/documents-reports/documentdetail/776831468324547527/disarmament-demobilization-and-reintegration

Otieno, O. J. (2019, February 1). The Revitalized Agreement for Resolution of Conflict in South Sudan (R-ARCSS): Addressing the challenges to power sharing (Policy Brief No. 17). Horn International Institute for Strategic Studies

Pongrácz, A., Rada, P. 2023. Az államépítés relevanciája a 21. század harmadik évtizedében, Külügyi Szemle, 22(2), pp. 78–94.

Protected persons: Children. (2025, April 30). International Committee of the Red Cross. https://www.icrc.org/en/law-and-policy/protected-persons-children

Rada, P. (2009). The Rubik's Cube of Democracy. Pakistan Journal of International Relations, 2(1), 81–114.

Rada, P., Pongrácz, A., 2024. The relevance of state-building in the 2020s and the case of Africa. Journal of Central and Eastern European African Studies. Vol 4. No. 2., 7-26.

Ráhel, C. (2018, November 21). Gyerekkatonák a népirtó rezsimek szolgálatában. PAGEO Geopolitikai Kutatóintézet. http://www.geopolitika.hu/hu/2016/07/31/gyerekkatonak-a-nepirto-rezsimek-szolgalataban/

Red Cross: Paris Principles Signatories, 2011. September 30.

Restás, Bianka – Stepper, Péter. 2019. *Kényszervándorlás.* IN: Baranyi, Tamás – Szálkai Kinga, Szarka Luca: Biztonságpolitikai Corvinák, Antall József Tudásközpont, Budapest.

Refworld - UNHCR's Global Law and Policy Database. (2024, February 12). The Paris Principles. Principles and guidelines on children associated with armed forces or armed groups. Refworld. https://www.refworld.org/reference/research/unicef/2007/en/42827

Rome Statute of the International Criminal Court

Save the Children | Child Soldiers: Childhood's End. (n.d.). Save the Children. https://www.savethechildren.org/us/charity-stories/child-soldiers

Singh, A. R., & Singh, A. N. (2010, July 1). The mental health consequences of being a child soldier – an international perspective. https://pmc.ncbi.nlm.nih.gov/articles/PMC6734971/

South Sudan | World Food Programme. (2024, March 29). UN World Food Programme (WFP). https://www.wfp.org/countries/south-sudan

South Sudan: Briefing and consultations. (n.d.). Security Council Report. https://www.securitycouncilreport.org/whatsinblue/2025/04/south-sudan-briefing-and-consultations-27.php

South Sudan: Securing a brighter future for children affected by conflict | Global Partnership for Education. (n.d.). Global Partnership for Education. https://www.globalpartnership.org/results/country-journeys/south-sudan-securing-brighter-future-children-affected-conflict

South Sudan: the conflict in focus | Conciliation Resources. (n.d.). https://www.c-r.org/programme/east-and-central-africa/south-sudan-conflict-focus

Strengthening the Convention on the Rights of the Child: Optional Protocols. (n.d.). UNICEF. https://www.unicef.org/child-rights-convention/strengthening-convention-optional-protocols

Stepper, Péter 2014. The challenges for Common European Asylum Policy, *Biztpol Affairs,* Vol. 2. No.2., 29-49.

The scars of death. (2023). In Human Rights Watch. https://www.hrw.org/report/1997/09/01/scars-death/children-abducted-lords-resistance-army-uganda

Timeline: South Sudan's history at a glance. (n.d.). Concern Worldwide. https://www.concern.net/news/south-sudan-history-timeline

Uganda Humanitarian Situation Report, End-of-Year 2023. (n.d.). UNICEF. https://www.unicef.org/documents/uganda-humanitarian-situation-report-end-year-2023

Uganda president holds talks with South Sudanese leaders to try to avoid civil war | AP News. (2025, April 4). AP News. https://apnews.com/article/south-sudan-talks-uganda-museveni-c93c06a104e1ed26ee3abe10a1668855

UN Women. (2014, May 8). In the words of Evelyn Amony. https://www.unwomen.org/en/news/stories/2014/5/in-the-words-of-evelyn-amony

UNHCR. (2023, July 24). South Sudan refugee crisis explained. https://www.unrefugees.org/news/south-sudan-refugee-crisis-explained

UNICEF. (2018, August 7). More children released from South Sudanese armed groups. https://www.unicef.org/press-releases/more-children-released-south-sudanese-armed-groups-unicef

UNICEF. (2024, November 30). South Sudan humanitarian situation report no. 11. https://www.unicef.org/documents/south-sudan-humanitarian-situation-report-no-11-30-november-2024

UNICEF: Uganda country office humanitarian situation report No.6 https://www.unicef.org/uganda/reports/uganda-country-office-humanitarian-situation-report-no6

Vinet, F. (n.d.). Fact Sheet: Recruitment and Use of Children – Office of the Special Representative of the Secretary-General for Children and Armed Conflict. https://childrenandarmedconflict.un.org/2014/02/fact-sheet-recruitment-and-use-of-children/

Vinet, F. (n.d.-b). The Lord's Resistance Army and Children – Office of the Special Representative of the Secretary-General for Children and Armed Conflict. https://childrenandarmedconflict.un.org/2012/06/the-lords-resistance-army-and-children/

"We Can Die Too." (2023). In Human Rights Watch. https://www.hrw.org/report/2015/12/15/we-can-die-too/recruitment-and-use-child-soldiers-south-sudan

Wells, M. (2016, September 10). The UN has failed its peacekeepers in S Sudan. Al Jazeera. https://www.aljazeera.com/opinions/2016/9/10/the-un-has-failed-its-peacekeepers-in-s-sudan

World Health Organization: WHO. (2024, May 27). Post-traumatic stress disorder. https://www.who.int/news-room/fact-sheets/detail/post-traumatic-stress-disorder

Yahyai O. A. (2025, March 25). Dél-Szudán szörnyű helyzete a polgárháborúhoz való visszatérés veszélyével fenyeget. Euronews. https://hu.euronews.com/2025/03/25/del-szudan-szornyu-helyzete-a-polgarhaboruhoz-valo-visszateres-veszelyevel-fenyeget

***