

KEY FINDINGS

CHILDREN AND TRANSITIONAL JUSTICE: TRUTH-TELLING, ACCOUNTABILITY AND RECONCILIATION

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Children and transitional justice

- Truth, justice, reparation and reconciliation processes have begun to specifically address crimes committed against children in situations of armed conflict or political violence, and have involved children proactively.
- As victims and witnesses, and sometimes perpetrators of crimes, children have an important role in providing statements and testimony. It is therefore essential that policies and procedures are in place to protect the rights of children involved.
- Children associated with armed forces or armed groups who may have been involved in the commission of crimes under international law, are primarily victims. Non-judicial and restorative processes that promote diversion, mediation, truth-telling and reconciliation are the most appropriate forms of accountability for these children.

Participation of children in transitional justice mechanisms

- Children and young people comprise more than half of the affected population in many post-conflict situations, and are frequently among those most targeted and affected by wartime violence. Accountability, truth-telling and reconciliation processes that include children can promote recovery at the community level.
- In all cases, when children engage as witnesses in judicial or non-judicial accountability processes, protection procedures and legal safeguards must be in place to protect their rights before, during and after their testimony or statement is given.
- The impact of children involved as witnesses in international courts and tribunals is significant, however the number of children who testify is necessarily small. Many more children can engage in community-based accountability, truth-telling and reconciliation processes and their views can inform decisions that will make a difference for their future and the future of their communities.
- Children's right to participate in transitional justice processes is increasingly recognized and a number of recent transitional justice processes and mechanisms that developed policies and procedures to protect child victims and witnesses involved in providing statements and testimony.
- Additional human and financial resources are needed for children's meaningful participation in transitional justice processes.

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Protective environment

- International and hybrid criminal courts have helped improve accountability for grave crimes against children, however much more needs to be done and more attention is needed to address the full range of violations against children during armed conflict and political violence.
- Truth commissions can create opportunities for children to express their views, building capacity for active citizenship. The involvement of children in the Truth and Reconciliation Commission in Sierra Leone and in Liberia, in collaboration with child protection agencies, set precedent and helped establish principles and protection procedures for child participation in statement-taking, hearings and other truth commission activities.

Post-conflict development and recovery initiatives

- Transitional justice processes can support post-conflict reconstruction and development initiatives by considering economic justice from a child rights perspective and directing necessary measures to promote children's economic and social rights.
- Education is a priority for children affected by conflict and political violence. If children do not have access to education and life skills, and opportunities to learn a vocation, the result will be serious limitations placed on their future and the future of their society.
- The educational sector can enhance the impact of transitional justice processes and contribute to community-based peace-building.
- In a range of country situations, children have demonstrated that they are often the best informed about their needs and the actions that can help restore their confidence and rebuild their lives.

Note to Editors

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