

KEY MESSAGES

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

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- Transitional justice processes are attempts to come to terms with past abuses and to end impunity for crimes under international law through prosecutions and other accountability and truth-seeking processes. Transitional justice processes can be applied both to improve accountability for crimes perpetrated against children and to protect the rights of children involved.
- To attempt transitional justice processes without involving children not only fails to comply with the Convention on the Rights of the Child (CRC) – the most universally ratified international instrument – it also compromises the outcome of those processes.
- A range of options exists for engaging children as participants in transitional justice processes, including through testimony that bears witness to their experiences. In some cases children may be simultaneously victims, survivors and alleged perpetrators of violations. In all cases, children have a right to express their views in matters and proceedings affecting them.
- There is emerging consensus that children associated with armed forces or armed groups who may have been involved in the commission of crimes under international law shall be considered primarily as victims, and that they should not be held criminally responsible under an international jurisdiction.
- Transition from conflict and emergency to a development agenda requires attention to the full spectrum of rights: civil, political, economic, social and cultural. For children it means building a protective environment that engages them, their families and communities.
- The protection of the rights of children in transitional justice processes is necessary to enable their participation. In turn, their participation strengthens their long term protection. Together, effective participation and protection of children in transitional justice processes can build the capacity of children as active citizens and help break the cycle of violence and conflict.
- Linking educational and curriculum reform to transitional justice processes has the potential to strengthen the protective environment and to establish a broader understanding of human rights principles.

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- Transitional justice cannot be imposed from the outside or left to the international community. It is at national and local levels that accountability, truth-telling and reconciliation must take place. If the transition is to be effective, and peace and reconstruction are to be lasting, children need to be involved.

About UNICEF

UNICEF is on the ground in over 150 countries and territories to help children survive and thrive, from early childhood through adolescence. The world's largest provider of vaccines for developing countries, UNICEF supports child health and nutrition, good water and sanitation, quality basic education for all boys and girls, and the protection of children from violence, exploitation, and AIDS. UNICEF is funded entirely by the voluntary contributions of individuals, businesses, foundations and governments.

Note to Editors

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