

Justice for Children in the Future Convention on the Prevention and Punishment of Crimes Against Humanity

**Justice for Children in the Future Convention
on the Prevention and Punishment of Crimes
Against Humanity**

Children and Crimes Against Humanity Coalition

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I. Introduction: Children and Crimes Against Humanity

A new treaty on crimes against humanity should more effectively address crimes against children. This paper proposes how the future convention could better integrate comprehensive prevention, protection, justice, and reparation for child victims of crimes against humanity.

Nearly one third of the world's population is under age 18. Approximately one in six children live in situations of armed conflict,¹ and of those, some 149 million live in “high intensity” conflict zones.² Children are also affected by other forms of organized, large-scale violence, including at the hands of non-state armed actors operating in non-conflict situations.³

Children are among the victims of every act currently considered a crime against humanity: They are murdered, exterminated, enslaved, deported or forcibly transferred, imprisoned, tortured, raped, sexually enslaved, forcibly prostituted, forcibly impregnated, forcibly sterilized and subjected to other forms of sexual and reproductive violence, persecuted, forcibly disappeared, subjected to apartheid, and subjected to other inhumane acts.⁴ Children may suffer from other acts of similar gravity, including forced marriage, slave trade, and recruitment and use. Children may be specifically targeted for these crimes because of their age and on multiple and intersecting other grounds such as race, ethnicity, nationality, political opinion, culture, socio-economic status, religion, gender (including gender identity and sexual orientation), caste, indigenous status, disability, or presumed association with an armed force or armed group.

¹ Save the Children, “Children in Conflict,” undated, <https://data.stopwaronchildren.org/> (accessed March 10, 2025).

² Save the Children and University of Oxford, “Advancing Justice for Children: innovations to strengthen accountability for violations and crimes affecting children in conflict,” March 2021, https://resourcecentre.savethechildren.net/pdf/advancing_justice_for_children_o.pdf/ (accessed September 24, 2024), p. 34.

³ UNICEF Innocenti – Global Office of Research and Foresight, “Children’s Involvement in Organized Violence: Emerging trends and knowledge gaps. Based on evidence from different fields and areas of expertise,” Working Paper, September 2024, <https://www.unicef.org/innocenti/media/9736/file/UNICEF-Innocenti-Child-Violence-Recruit-2024.pdf> (accessed February 21, 2024).

⁴ Rome Statute of the International Criminal Court (Rome Statute), A/CONF.183/9, July 17, 1998, entered into force July 1, 2002, art. 7.

Because children are developing rapidly, crimes against humanity may damage children’s physical and psychosocial development and affect their mental health more severely than adults, as well as cause lifelong economic and social harm.⁵ Children may suffer from witnessing crimes against parents or caregivers and being born of rape. Children subjected to deportation or forcible transfer may experience unique harms from family separation and the denial of the right to education and identity. Harm caused by these crimes can affect successive generations beyond those who directly experience the atrocities.

Under international law, children are independent rights holders and additionally enjoy a distinct set of rights related to their age.⁶ Children have a right to be heard in judicial proceedings that affect them, and are entitled to special care and protection necessary for their safety and well-being, as well as measures to promote their physical and psychological recovery and social reintegration, with the child’s best interests as a primary consideration.⁷

⁵ Michelle Slone and Shiri Mann, “Effects of War, Terrorism and Armed Conflict on Young Children: A Systematic Review,” *Child Psychiatry and Human Development*, vol. 47, no. 6 (2016): accessed March 10, 2025, doi:10.1007/s10578-016-0626-7; Vindya Attanayake et al., “Prevalence of Mental Disorders Among Children Exposed to War: A Systematic Review of 7,920 Children,” *Medicine, Conflict and Survival*, vol. 2, no. 1 (2009): accessed March 10, 2025, doi:10.1080/13623690802568913; Tori DeAngelis, “War’s Enduring Legacy: How Does Trauma Haunt Future Generations?” American Psychological Association, last updated December 5, 2023, <https://www.apa.org/topics/trauma/trauma-survivors-generations> (accessed September 25, 2024); Linda O’Neill et al., “Hidden Burdens: A Review of Intergenerational, Historical and Complex Trauma, Implications for Indigenous Families,” *Journal of Child and Adolescent Trauma*, vol. 11, no. 2 (2018): 173-186, accessed September 25, 2024, doi:10.1007/s40653-016-0117-9.

⁶ UN Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, art. 1. When adopted in 1989, the CRC enshrined for the first time in international law the recognition of children as subjects of the full scope of civil, political, economic, social, and cultural rights, a culmination in the evolution of the concept of childhood and a paradigm shift from the perception of children as the property of their parents. International humanitarian law also contains provisions that specifically protect children. See, e.g., Geneva Convention relative to the Protection of Civilian Persons in Time of War, adopted August 12, 1949, 75 U.N.T.S. 287, entered into force October 21, 1950, arts. 24, 50, 82; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), adopted June 8, 1977, 1125 U.N.T.S. 3, entered into force December 7, 1978, art. 77; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1125 U.N.T.S. 609, entered into force December 7, 1978, art. 4(3); International Committee of the Red Cross (ICRC), “Rule 120, Accommodation for Children Deprived of Their Liberty,” <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule120> (accessed March 10, 2025); and ICRC, “Rule 135, Children,” <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule135> (accessed March 10, 2025).

⁷ CRC, arts. 3, 12, 39. See also Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted May 25, 2000, G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (No. 49) at 7, U.N. Doc. A/54/49, vol. III (2000), entered into force February 12, 2002, art. 6(3).

Historically, justice mechanisms have taken an adult-centric approach to the investigation and prosecution of international crimes.⁸ International investigations and documentation have often been blind to the breadth of children’s experiences in mass atrocity settings, to their evolving capacities, and to the different ways in which they are victimized.⁹ Reparation initiatives often exclude children, and when programs do exist, children’s rights and needs are almost entirely overlooked.¹⁰

The Rome Statute of the International Criminal Court (ICC), which forms the basis for the crimes against humanity definitions in the current Draft Articles on Prevention and Punishment of Crimes against Humanity (the “draft articles”), contains a number of provisions aimed at ensuring a focus on crimes affecting children.¹¹ However, in practice, the court has too rarely engaged children as victims and witnesses. Even where it has prosecuted cases affecting children, the court has not ensured that the crimes against or affecting children are sufficiently visible. As noted by the ICC prosecutor: “historically, [children] have remained largely invisible in the halls of international criminal justice. This includes at the International Criminal Court.”¹²

Since the drafting of the Rome Statute, much more has been learned about how children are targeted and uniquely harmed because of their age. More, too, has been learned about how to make justice processes accessible and safe for children, including most recently in the ICC’s Office of the Prosecutor’s 2023 *Policy on Children*.¹³

⁸ Save the Children and University of Oxford, “Advancing Justice for Children: innovations to strengthen accountability for violations and crimes affecting children in conflict,” https://resourcecentre.savethechildren.net/pdf/advancing_justice_for_children_o.pdf/; Cécile Aptel, *Atrocity Crimes, Children and International Criminal Courts: Killing Childhood* (New York: Routledge, 2023).

⁹ Save the Children and University of Oxford, “Advancing Justice for Children: innovations to strengthen accountability for violations and crimes affecting children in conflict,” https://resourcecentre.savethechildren.net/pdf/advancing_justice_for_children_o.pdf/, p. 35.

¹⁰ Global Survivors Fund, “Briefing on Reparation for Children Born of Conflict-Related Sexual Violence: Exploring Survivors’ Perspectives from the Global Reparations Study,” June 2024, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Policy_Briefs/Briefing_on_children_born_of_CRSV_web_Final.pdf (accessed September 23, 2024), pp. 6-7.

¹¹ These include provisions requiring states parties to take into account legal expertise in addressing violence against children in the election of judges, and directing the prosecutor to hire advisors with expertise on violence against children and to give particular consideration to the investigation of crimes involving violence against children. Rome Statute, arts.36(8)(b); 42(9); and 54(1)(b).

¹² International Criminal Court (ICC), The Office of the Prosecutor, “Preface,” in *Policy on Children*, December 2023, <https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-children-en-web.pdf> (accessed September 26, 2024).

¹³ ICC, The Office of the Prosecutor, *Policy on Children*, <https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-children-en-web.pdf>. The 2023 policy builds on the office’s 2016 policy and seeks to incorporate recent research about

The future convention offers a crucial opportunity to better provide children suffering crimes against humanity with justice by 1) better capturing the scale and effects of the crimes committed against them, and 2) ensuring that justice and reparation mechanisms are accessible to and specifically crafted for children and safeguard their rights and best interests. This paper's proposals are in line with the general principles recognized in the Convention on the Rights of the Child and the recently adopted UN Secretary-General's Guidance Note on Child Rights Mainstreaming.¹⁴

To complement the recommendations provided in this brief, states should seek meaningful participation of child victims and witnesses, taking into consideration the best interests of the child.¹⁵

children's development, memory, and abilities to engage in judicial processes, as well as the emergence of new technologies to support their safe participation. See, ICC, The Office of the Prosecutor, *Policy on Children*, November 2016, https://www.icc-cpi.int/sites/default/files/20161115_OTP_ICC_Policy-on-Children_Eng.PDF (accessed March 10, 2025).

¹⁴ United Nations, "Guidance Note of the Secretary-General, Child Rights Mainstreaming," July 2023, <https://www.ohchr.org/sites/default/files/2023-09/Guidance-Note-Secretary-General-Child-Rights-Mainstreaming-July-2023.pdf> (accessed September 26, 2024).

¹⁵ Children have been called on to participate in other treaty negotiations. See, e.g., UN Human Rights Council, Open-ended intergovernmental working group on an optional protocol to the Convention on the Rights of the Child on the rights to early childhood education, free pre-primary education and free secondary education, U.N. Doc. A/HRC/56/L.8/Rev.1, July 8, 2024, para. 5: "Requests the working group to ensure the meaningful participation of children, in an ethical, safe and inclusive manner, and in particular to give children the opportunity to express their views on the topic and substance of the proposed optional protocol, to facilitate their expression, including through child-friendly information, to listen to children's views and to act upon them, as appropriate."

II. Proposed Provisions for Inclusion in the Future Convention on Prevention and Punishment of Crimes against Humanity

A. Preamble

Draft Articles: The preamble of the draft articles provides:

Considering the rights of victims, witnesses and others in relation to crimes against humanity, as well as the right of alleged offenders to fair treatment ...

Proposal for Future Convention: Add to the preamble the following:

Considering the rights of victims, witnesses and others, *including children*, in relation to crimes against humanity, as well as the right of alleged offenders to fair treatment ...

Rationale: The proposed addition ensures that children are explicitly included in the treaty's protections and that the preamble is consistent with other proposals made throughout this document.

B. Definition of a Child

Draft Articles: The draft articles do not include a definition of a child.

Proposal for Future Convention: Define a child as anyone under age 18 without exception:

For the purposes of the present Convention, a child means every human being below the age of eighteen years.

Rationale: To ensure clarity on the application of the treaty, states should include a definition of a child. The proposed definition derives from article 1 of the Convention on the Rights of the Child, the most ratified and universally accepted human rights instrument.¹⁶

C. Article 2 – Crimes Against Humanity

Children may fall victim to all 11 crimes in the current draft articles, but only the sub-provision on enslavement explicitly mentions children. Additionally, the current draft articles do not explicitly address forced marriage, or the recruitment and use of children.

The enumerated crimes and their definitions should better capture crimes against and affecting children. Any assessment of a crime’s gravity, if relevant, should also reflect the distinct harms to children.

1. *Persecution*

Draft Articles: The draft articles provide:

2(1) For the purpose of the present draft articles, “crime against humanity” means ...

¹⁶ CRC, art. 1. See also Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention on Transnational Organized Crime (Trafficking Protocol), adopted November 15, 2000, G.A. Res. 55/25, annex II, 55 U.N. GAOR Supp. (No. 49) at 60, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force December 25, 2003, art. 3(d); Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted May 25, 2000, G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (No. 49) at 7, U.N. Doc. A/54/49, Vol. III (2000), entered into force February 12, 2002, art. 6(3); and UN General Assembly, “United Nations Convention against Cybercrime; Strengthening International Cooperation for Combating Certain Crimes Committed by Means of Information and Communications Technology Systems and for the Sharing of Evidence in Electronic Form of Serious Crimes,” Resolution 79/243, U.N. Doc. A/RES/79/243, December 31, 2024, <https://docs.un.org/en/A/RES/79/243> (accessed March 10, 2025); African Charter on the Rights and Welfare of the Child, OAU Doc. CAB/LEG/24.9/49 (1990), entered into force November 29, 1999, art. 2.

(h) persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other grounds that are universally recognized as impermissible under international law ...¹⁷

Proposal for Future Convention: Include “age” as an explicit ground for persecution.

Rationale: Age is already deemed a ground for persecution but is not yet explicitly enumerated in the definition of persecution, instead being identified as one of the “other grounds.” Specifying age will increase the visibility of this crime and the likelihood that it is included among the charges brought by national prosecutors. Individuals are targeted specifically because they are children, for example for enslavement, forcible transfer, denial of education, sexual violence, forced marriage, and child recruitment.

The definition of “persecution” in the draft articles is the same definition used in the Rome Statute. The Rome Statute has since been interpreted to allow for charges of age-based persecution under “other grounds.”¹⁸ For example, in January 2024, the ICC prosecutor brought charges against Joseph Kony that included the persecution of children on the basis of age and gender, and defined children as “persons under 18 years old,” as stated in the following: “LRA [Lord’s Resistance Army] perpetrators targeted children, on the basis of their age, because they were considered less likely to escape and easier to indoctrinate, or with respect to girls, to be free from sexually transmitted diseases.”¹⁹

2. Sexual Violence

¹⁷ Amnesty International, Human Rights Watch, and others have proposed the removal of the expression “in connection with any act referred to in this paragraph or in connection with the crime of genocide or war crimes” from draft article 3(1)(h) and recommend the codification of the formulation of the crime of persecution as provided by customary international law. See, Amnesty International, “International Law Commission: The problematic formulation of persecution under the Draft Convention on crimes against humanity,” October 30, 2018, <https://www.amnesty.org/en/documents/ior40/9248/2018/en/> (accessed February 21, 2025); Human Rights Watch, “Human Rights Watch Recommendations on the International Law Commission’s Draft Articles on Prevent and Punishment of Crimes Against Humanity,” April 11, 2023, <https://www.hrw.org/news/2023/04/11/human-rights-watch-recommendations-international-law-commissions-draft-articles> (accessed April 4, 2025).

¹⁸ The Office of the Prosecutor of the International Criminal Court determined in its 2016 *Policy on Children*: “acts targeting children on the basis of age or birth may be charged as persecution on ‘other grounds.’ It recognizes that children may also be persecuted on intersecting grounds, such as ethnicity, religion and gender. See, ICC, The Office of the Prosecutor, *Policy on Children*, November 2016, <https://www.icc-cpi.int/161115-otp-policy-children> (accessed March 10, 2025), para. 51.

¹⁹ *In the Case of the Prosecutor v. Joseph Kony*, ICC, Case No. ICC-02/04-01/05, Pre-Trial Chamber II, January 19, 2024, counts 14 and 23, paras. 82, 88: “The schoolgirls were targeted by the LRA collectively based on their age and gender.”

Draft Articles: The draft articles provide that:

(2)(2) For the purpose of paragraph 1: ...

(f) “forced pregnancy” means the unlawful confinement of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law ...²⁰

Proposal for Future Convention: Add “girl, or other person” to the definition of forced pregnancy: “unlawful confinement of a woman, *girl, or other person.*”

Rationale: Adding the term “girl” aligns with definition of the child, as suggested above. The term “woman” alone in the definition of forced pregnancy could be misread to exclude people under 18 as well as gender-diverse people, who are also subjected to this treatment.²¹

3. Children and Forced Marriage

Draft Articles: The draft articles do not include the crime of forced marriage as a separately enumerated crime against humanity.

Proposal for Future Convention: Recognize forced marriage as a separate crime against humanity. Include a definition such as the following, or one that protects the same legal interests:

“Forced marriage” means compelling a person to enter into a conjugal union with another person by the use of physical or psychological force, or

²⁰ Various groups have proposed the removal of the expression, “This definition shall not in any way be interpreted as affecting national laws relating to pregnancy” from draft article (2)(2)(f). See, Amnesty International, Australian Centre for International Justice, Bonita Meyersfeld, Global Justice Center, Human Rights Watch, Physicians for Human Rights, Rosemary Grey, Susana SáCouto, Southern African Litigation Centre, Women’s Initiatives for Gender Justice, and Women’s Link Worldwide, “Draft Articles on Prevention and Punishment of Crimes Against Humanity Should Advance Justice for Reproductive Autonomy,” 2023, <https://www.globaljusticecenter.net/wp-content/uploads/2023/10/Reproductive-Autonomy-Expert-Brief.pdf> (accessed February 21, 2025), para. 18.

²¹ *Ibid.*, para. 18.

threat of force, or by taking advantage of a coercive environment or a person's inability to give genuine consent, including for reasons of age.

Rationale: There has been growing recognition of the need to address forced marriages within the framework of international criminal law, as it has not previously been explicitly defined as an enumerated crime under instruments like the Rome Statute of the ICC.²² Instead international and internationalized courts, like the Special Court for Sierra Leone (SCSL), the Extraordinary Chambers in the Courts of Cambodia (ECCC), and the ICC, have recognized forced marriage under the crime against humanity category of “other inhumane acts.”²³ The treaty represents an ideal opportunity to codify existing jurisprudence and explicitly acknowledge forced marriage as a standalone crime against humanity. This will not only recognize the strength of existing case law and help to avoid continuous re-litigation of the nature of forced marriage, but it will also more directly reflect the gravity and scale of forced marriage.²⁴

The definition of the crime of forced marriage should consider whether a person's age may prevent them from providing genuine consent. The language suggested in the proposal derives from the Elements of Crimes for the Rome Statute, which requires an assessment of whether “a person is incapable of giving genuine consent” for the crimes against humanity

²² Valerie Oosterveld, Western University Faculty of Law; Anne-Marie de Brouwer and Eefje de Volder, Impact: Center against Human Trafficking and Sexual Violence in Conflict; Kathleen M. Maloney, Lewis & Clark Law School; Melanie O'Brien, University of Western Australia Law School; Osai Ojigbo, Christian Aid; Indira Rosenthal, University of Tasmania School of Law; Leila Sadat, Washington University in St. Louis School of Law, “The Draft Crimes Against Humanity Convention and Forced Marriage,” October 5, 2023, <https://www.globaljusticecenter.net/the-draft-crimes-against-humanity-convention-and-forced-marriage/> (accessed September 24, 2024).

²³ See *Prosecutor v. Sesay et al.*, where the Special Court for Sierra Leone (SCSL) convicted the defendants of forced marriage, under the category of “other inhumane acts.” *Prosecutor v. Sesay, Kallon and Gbao*, SCSL, Case No. SCSL-04-15-T, Judgment (Trial Chamber I), March 2, 2009, paras. 1464, 1473; *Prosecutor v. Sesay, Kallon and Gbao*, SCSL, Case No. SCSL-04-15-A, Judgment (Appeals Chamber), October 26, 2009, paras. 726, 849, 861-862; *Co-Prosecutors v. Nuon Chea and Khieu Samphân*, where the ECCC Trial Chamber convicted defendants for forced marriage as the crime against humanity of “other inhumane acts.” *Co-Prosecutors v. Nuon Chea and Khieu Samphân*, ECCC, Case No. 002/19-09-2007/ECCC/TC, Judgment (Trial Chamber), November 16, 2018, paras. 741, 4172, 4198, 4303-4305. See also *Prosecutor v. Ongwen*, where the ICC first convicted a defendant of forced marriage under the category of other inhumane acts. *Prosecutor v. Ongwen*, ICC, Case No. ICC-02/04-01/15, Judgment (Trial Chamber IX), February 4, 2021, paras. 3026, 3069, 3116; *Prosecutor v. Ongwen*, ICC, Case No. ICC-02/04-01/15 A, Judgment (Appeals Chamber), December 15, 2022, paras. 978-104.

²⁴ Valerie Oosterveld, Western University Faculty of Law; Anne-Marie de Brouwer and Eefje de Volder, Impact: Center against Human Trafficking and Sexual Violence in Conflict; Kathleen M. Maloney, Lewis & Clark Law School; Melanie O'Brien, University of Western Australia Law School; Osai Ojigbo, Christian Aid; Indira Rosenthal, University of Tasmania School of Law; Leila Sadat, Washington University in St. Louis School of Law, “The Draft Crimes Against Humanity Convention and Forced Marriage,” <https://www.globaljusticecenter.net/wp-content/uploads/2023/10/Forced-Marriage-Expert-Legal-Brief-CAH-Treaty.pdf>, p. 2.

of rape, enforced prostitution, enforced sterilization, and sexual violence.²⁵ It further states that “a person may be incapable of giving genuine consent if affected by ... age-related incapacity.”²⁶

4. Recruitment and Use of Children

Draft Articles: The draft articles do not include the crime of recruitment and use of children.

Proposal for Future Convention: The future convention should include the crime of recruiting, enlisting, or using persons under the age of 18 to participate in armed violence, when committed as part of a widespread or systematic attack directed against any civilian population.

Rationale: Tens of thousands of children are recruited and used by armed groups and forces all over the world, including in situations that are not—or are no longer—considered to be armed conflict. The crime of recruiting and using children is of a comparable nature and gravity to other crimes in the treaty. The enumerated crimes of murder, enslavement,²⁷ imprisonment, torture, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced disappearance, and forced marriage in the draft articles are all crimes that are more likely to occur when a child is recruited or used.

The Rome Statute was the first international treaty to explicitly reference the recruitment and use of children in hostilities under 15 as a war crime, but its definition of the offense is limited to situations of armed conflict.²⁸

Since the adoption of the Rome Statute, states have expanded international prohibitions of the recruitment and use of children below the age of 18. The widely ratified Optional Protocol to the Convention on the Rights of the Child on the involvement of children in

²⁵ ICC, *Elements of Crimes* (The Hague: International Criminal Court, 2013), <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf> (accessed November 4, 2024), arts. 7(1)(g)-1(2); 7(1)(g)-3(1); 7(1)(g)-5(2); and 7(1)(g)-6(1).

²⁶ *Ibid.*, art. 7.1.g, fn. 16.

²⁷ ICC, Office of the Prosecutor, *Policy on Slavery Crimes*, December 2024, <https://www.icc-cpi.int/sites/default/files/2024-12/policy-slavery-web-eng.pdf> (accessed January 28, 2025), para. 77: “Child soldiers, essentially, are enslaved children.”

²⁸ Rome Statute, arts. 8(2)(b)(xxvi) and 8(2)(e)(vii).

armed conflict contains a general prohibition on compulsory recruitment and use of children under 18, including during peacetime.²⁹ At the regional level, the African Charter on the Rights and Welfare of the Child defines children as below the age of 18, stressing that “no child shall take a direct part in hostilities” and that states parties to the Charter shall “refrain in particular, from recruiting any child.”³⁰

Including recruitment and use of children as a crime against humanity would help to address critical protection gaps, in line with international law, by enabling the prosecution of cases without the need to classify an armed conflict during situations or time periods when there is no consensus about whether the threshold for armed conflict has been met.

Recruitment and use of children should be added as a separate crime instead of included under the crime of “other inhumane acts” in order to strengthen the likelihood of prosecution, acknowledge the gravity and scale of the violation, and respond to calls under international law to enact domestic legislation to prohibit this crime.

5. Other Crimes Affecting Children

This paper focuses on proposals that address children explicitly, acknowledging that other proposals with important implications for children have been and likely will be put forward.³¹ This section highlights two proposals that, while not exclusive to children, would particularly benefit them.

²⁹ Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, art. 32; Office of the UN High Commissioner for Human Rights, “Status of Ratification,” undated, <https://indicators.ohchr.org/> (accessed September 23, 2024). See also Coalition to Stop the Use of Child Soldiers and UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict* (New York: UNICEF, 2003), <https://www.refworld.org/reference/manuals/unicef/2003/en/67849?prevPage=/node/67849> (accessed March 11, 2025), p. 17: “Article 4(1) does not require armed groups to be actively engaged in an armed conflict before its provisions apply. Recruitment of children under 18 prior to the outbreak of hostilities is also prohibited.” NGO Group for the Convention on the Rights of the Child, *Reporting on the OPSC and OPAC: A Guide for Non-governmental Organizations* (Geneva: NGO Group for the Convention on the Rights of the Child, 2010), https://childrightsconnect.org/wp-content/uploads/2013/10/Guide_OP_EN_web.pdf (accessed March 11, 2025), p. 5: “The OPAC is applicable irrespective of whether or not a State party is currently or has recently experienced armed conflict.”

³⁰ African Charter on the Rights and Welfare of the Child, art. 22.2.

³¹ See, e.g., Patricia Viseur Sellers, Jocelyn Getgen Kestenbaum, and Alexandra Lily Kather, “Including the Slave Trade in the Draft Articles on Prevention and Punishment of Crimes Against Humanity,” Global Justice Center, 2023, <https://www.globaljusticecenter.net/wp-content/uploads/2023/10/Slavery-and-Slave-Trade-Expert-Legal-Brief-CAH-Treaty.pdf> (accessed September 26, 2024); Human Rights Watch, “Human Rights Watch Recommendations on the International Law Commission’s Draft Articles on Prevention and Punishment of Crimes Against Humanity,” April 11, 2023,

a. Extermination

A revised definition of extermination in article 2b could explicitly include deprivation of “safe water” as stated in the following: “intentional infliction of conditions of life, inter alia the deprivation of access to food, *safe water*, and medicine, calculated to bring about the destruction of part of a population.”

Deprivation of access to water can result in death even more rapidly than food and medicine, including through malnutrition, stunted growth, and waterborne diseases that disproportionately affect children due to their physical vulnerability. It should be enumerated among the list of deprivations because direct and indirect attacks on water are a regular feature of current conflict and because of the vital role water plays in children’s survival and development.³² The Convention on the Rights of the Child requires states to

<https://www.hrw.org/news/2023/04/11/human-rights-watch-recommendations-international-law-commissions-draft-articles> (accessed September 26, 2024); Amnesty International, *General Recommendations to States for a Convention on Prevention and Punishment of Crimes against Humanity* (London: Amnesty International Publications, 2023), <https://www.amnesty.org/en/wp-content/uploads/2023/03/IO4064972023ENGLISH.pdf> (accessed March 3, 2025); IUCN and World Commission on Environmental Law, “Proposed addition to Article 2 of the Draft Articles on the Prevention and Punishment of Crimes Against Humanity: ‘widespread, long-lasting, or severe destruction of the natural environment as the means of destruction, damage, or injury to any civilian population,’” 2024, https://iucn.org/sites/default/files/2024-09/iucn-wcel-cah-convention-art.-2-environmental-destruction_o.pdf (accessed September 26, 2024); Atlantic Council and Global Justice Center, “Joint Call to Amend the Draft Crimes Against Humanity Convention to Encompass Gender Apartheid,” October 5, 2023, <https://www.globaljusticecenter.net/joint-call-to-amend-the-draft-crimes-against-humanity-convention-to-encompass-gender-apartheid/> (accessed September 26, 2024); Global Justice Center, “The Draft Crimes Against Humanity Convention and Forced Marriage,” <https://www.globaljusticecenter.net/the-draft-crimes-against-humanity-convention-and-forced-marriage/>; Amnesty International, Australia Center for International Justice, Bonita Meyersfeld, Global Justice Center, Human Rights Watch, Physicians for Human Rights, Rosemary Grey, Susana SáCouto, Southern Africa Litigation Center, Women’s Initiative for Gender Justice, and Women’s Link Worldwide, “Draft Articles on Prevention and Punishment of Crimes Against Humanity Should Advance Justice for Reproductive Autonomy,” <https://www.globaljusticecenter.net/draft-articles-on-prevention-and-punishment-of-crimes-against-humanity-should-advance-justice-for-reproductive-autonomy/>; Amnesty International, Center for Human Rights Advocacy, Dr. Denis Mukwege Foundation, Free Yezidi Foundation, Global Justice Center, Global Survivors Fund, Grace Agenda, Grace Acan, International Center for Transitional Justice, REDRESS, Survivors Speak Out Network at Freedom from Torture, Women’s League of Burma, and Women’s Peace Network, “Draft Crimes Against Humanity Convention Must Center Victims and Survivors,” 2023, <https://www.globaljusticecenter.net/wp-content/uploads/2023/11/Victims-and-Survivors-Expert-Legal-Brief-CAH-Treaty.pdf> (accessed September 26, 2024); “Joint Call to Advance Gender Justice in the Draft Crimes Against Humanity Convention,” October 5, 2023, <https://www.globalr2p.org/publications/joint-call-to-advance-gender-justice-in-the-draft-crimes-against-humanity-convention> (accessed September 26, 2024).

³² See UNICEF, *Water Under Fire Volume 3: Attacks on water and sanitation services in armed conflict and the impacts on children* (New York: UNICEF, 2021), <https://www.unicef.org/media/98976/file/Water%20Under%20Fire%20%20%20Volume3.pdf> (accessed March 11, 2025).

recognize children’s right to health, including “through the provision of adequate nutritious foods and clean drinking-water.”³³

b. Enslavement

The draft articles include “enslavement” (article 1c) and “sexual slavery” (article 1g) but not the slave trade. “Acts of the slave trade that do not also include the exercise of powers of ownership over a person” are therefore not explicitly covered.³⁴ The Republic of Sierra Leone has proposed adding as an enumerated provision in the draft articles the slave trade, “which governs the intent to bring a person into – or maintain them in – a situation of slavery.”³⁵ The historical and contemporary slave trade deeply affects children, who are often trafficked for purposes of exploitation, including for forced labor, sexual abuse, and other forms of inhumane treatment.

D. Article 6 – Criminalization Under National Law

Draft Articles: The draft articles do not explicitly address crimes committed by children under age 18 at the time.

Proposal for Future Convention: The convention should specify that states should exclude from prosecution in the adult criminal justice system crimes against humanity committed by people under age 18, hold those exercising command of these children primarily responsible, and ensure that any such cases are handled only within a dedicated child justice system that prioritizes the child’s best interests and all other relevant safeguards, and respects international fair trial standards for children.

³³ CRC, art. 24 (c). The Committee on the Rights of the Child has also noted the responsibility of states to provide access to clean drinking water for young children to support early development, and to adolescents at school. UN Committee on the Rights of the Child, General Comment No. 7, Implementing child rights in early childhood, U.N. Doc. CRC/C/GC/7/Rev.1, 20 (2006), para. 27 (a); UN Committee on the Rights of the Child, General Comment No. 4, Adolescent health and development in the context of the Convention on the Rights of the Child, U.N. Doc. CRC/GC/2003/4 (2003), para. 17.

³⁴ Patricia Viseur Sellers, Jocelyn Getgen Kestenbaum, and Alexandra Lily Kather, “Including the Slave Trade in the Draft Articles on Prevention and Punishment of Crimes Against Humanity,” Global Justice Center, 2023, <https://www.globaljusticecenter.net/wp-content/uploads/2023/10/Slavery-and-Slave-Trade-Expert-Legal-Brief-CAH-Treaty.pdf> (accessed September 26, 2024).

³⁵ “Statement by H.E. Dr. Michael Imran Kanu, Ambassador and Deputy Permanent Representative,” Permanent Mission of the Republic of Sierra Leone to the United Nations, April 11, 2023, <https://acrobat.adobe.com/link/review?uri=urn%3Aaid%3Aasc%3AUS%3Ao77620f9-8e27-353d-a28e-7a16dc6152f8> (accessed March 11, 2025), para. 10. See also *ibid.*, in support of Sierra Leone’s proposal.

Rationale: Various states that have either ratified the Rome Statute and adopted implementing laws in their domestic legislation, or have otherwise adopted provisions criminalizing international crimes, have excluded children from prosecution under these statutes.³⁶ In these cases, children suspected of committing international crimes can be charged in a separate and parallel child justice system that focuses on rehabilitation rather than punishment.

The future convention should similarly exclude children from prosecution for crimes against humanity in adult criminal justice systems. States should either establish or ensure the national child justice system retains primary jurisdiction for any alleged offenses and can pursue accountability in line with international child justice standards.

Children accused of crimes are entitled to special protections as children. These include consideration given to diversion wherever appropriate, using detention as a measure of last resort and for the shortest period of time, and taking into consideration the “gravity of the offence ... the circumstances and the needs of the juvenile as well as to the needs of the society”³⁷ at the disposition. With respect to violations of international law, international guidance calls for children associated with armed groups and forces to be treated as victims first and foremost, and recognizes that children who carry out crimes in

³⁶ See, for example, New Zealand where the International Crimes and International Criminal Court Act 2000 adopts the same jurisdictional age limit for prosecution—age 18—as the Rome Statute (International Crimes and International Criminal Court Act 2000, Public Act 2000 No. 26, September 6, 2000, art. 12 (1)(a)(v)); Uganda, where the International Criminal Court Act, 2010 also applies art. 26 of the Rome Statute and excludes persons under 18 from the jurisdiction of the court (The International Criminal Court Act, 2010, Acts Supplement No. 6, June 25, 2010, art. 19 (1)(a)(v)); and Switzerland, which allows for the prosecution of genocide, crimes against humanity, and war crimes in its Criminal Code, but calls for the prosecution of children under the Juvenile Criminal Law Act of June 20, 2003 (Swiss Criminal Code of December 21, 1937 (Status as of July 1, 2020), art. 9 (2)). In addition, the criminal prosecution for international crimes committed by children below the age of 18 is unprecedented in international or internationalized courts and tribunals, which have declined to prosecute crimes committed by children. All international and internationalized courts, with one exception, have focused their limited resources on prosecuting adult perpetrators, even though only a few of these courts have had an explicit jurisdictional age limit. See Cécil Aptel, *Atrocity Crimes, Children and International Criminal Courts: Killing Childhood* (New York: Routledge, 2023), pp. 172-191. At the Special Court of Sierra Leone, which had jurisdiction over children ages 15 to 17 in a context where child soldiers were widely used, the prosecutor nevertheless chose not to prosecute children, instead focusing on individuals responsible for their recruitment. “Special Court Prosecutor Says He Will Not Prosecute Children,” Public Affairs Office of the Special Court for Sierra Leone press release, November 2, 2002, <https://www.rscsl.org/Documents/Press/OTP/prosecutor-110202.pdf> (accessed September 24, 2024).

³⁷ CRC, art. 40; rules 7, 11, 17.1(a); UN Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), adopted November 29, 1985, G.A. Res. 40/33, annex, 40 U.N. GAOR Supp. (No. 53) at 207, U.N. Doc. A/40/53 (1985); UNICEF, Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (“Paris Principles”), February 2007, rules 8.8, 8.9.1. Children differ from adults in their physical and psychosocial development. Such differences constitute the basis for the recognition of lesser culpability, and for a separate system with a differentiated, individualized approach.

this context have often also been subjected to abuse (recruitment, sexual abuse, slavery, and forced drug use) and forced to act under duress.³⁸

E. Article 12 – Victims, Witnesses, and Others

Every crime against humanity can be committed against, or directly affect, children. Every investigation and prosecution of crimes against humanity should assume that children have been victims, witnesses, or otherwise affected. Children are targeted for crimes against humanity and may experience particularly acute long-term psychosocial, physical, and economic impacts of these crimes. Torture, including forced witnessing of torture; enforced disappearance, including enforced disappearance of caregivers and other family members; and sexual violence cause specific harms to children’s physical and mental development.

Addressing the unique harms of child victims of crimes against humanity includes providing them with tailored reparation, providing adequate support to participate in proceedings, ensuring their safety, and minimizing re-traumatization during investigations and trials.

1. *Definition of Victims*

Draft Articles: While referring to victims in article 12, the draft articles do not include a definition of victims.

Proposal for Future Convention: The convention should include a definition of a victim, such as the one used in Rule 85 of the ICC Rules of Procedure³⁹ and article 81 of Ljubljana-

³⁸ CRC, General Comment No. 24 on children’s rights in the child justice system, U.N. Doc. CRC/C/GC/24 (2019), para. 100, noting the UN Security Council’s emphasis “that children who had been recruited in violation of applicable international law by armed forces and armed groups and were accused of having committed crimes during armed conflicts should be treated primarily as victims of violations of international law,” and that member states should “consider nonjudicial measures as alternatives to prosecution and detention that were focused on reintegration.” See also UNICEF, Paris Principles, paras. 3.6 and 8.6.

³⁹ Rule 85 defines victims as “natural persons who have suffered harm as a result of the commission of any crime within the jurisdiction of the Court,” and further clarifies that “[v]ictims may include organizations or institutions that have sustained direct harm to any of their property which is dedicated to religion, education, art or science or charitable purposes, and to

The Hague Convention.⁴⁰ The definition should be sufficiently broad to encompass all persons who suffer harm from acts that constitute crimes against humanity.

Rationale: Adopting a broad and unambiguous definition of victim would ensure that children that are individually targeted, as well as those who have suffered indirect harm, are all identified as victims. This includes children who are born of rape or other forms of sexual violence,⁴¹ children who have experienced severe pain or suffering as a result of the enforced disappearance of caregivers and other family members or the witnessing of crimes against loved ones, and children separated from family members who have been deported or forcibly transferred in violation of international law.

2. Participation of Child Victims and Witnesses

Draft Articles: Article 12 (2) of the draft articles make a reference to enabling the views of victims in criminal proceedings but does not explicitly include child victims and witnesses:

12 (2) Each State shall, in accordance with its national law, enable the views and concerns of victims of a crime against humanity to be presented and considered at appropriate stages of criminal proceedings against

their historic monuments, hospitals and other places and objects for humanitarian purposes.” ICC, “Rule 85,” in *Rules of Procedure and Evidence of the International Criminal Court* (The Hague: International Criminal Court, 2013), <https://www.icc-cpi.int/sites/default/files/RulesProcedureEvidenceEng.pdf> (accessed March 11, 2025), p. 31.

⁴⁰ Article 81(1)(a) defines victims as “natural persons who have suffered harm as a result of the commission of any crime to which this Convention applies.” Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes Against Humanity, War Crimes and Other International Crimes, May 26, 2023, <https://www.gov.si/assets/ministrstva/MZEZ/projekti/MLA-pobuda/The-Ljubljana-The-Hague-MLA-Convention.pdf> (accessed February 21, 2025), art. 81. The same proposal has been recommended by other groups. See Amnesty International, Center for Human Rights Advocacy, Dr. Denis Mukwege Foundation, Free Yezidi Foundation, Global Justice Center, Global Survivors Fund, Grace Agenda, Grace Acan, International Center for Transitional Justice, REDRESS, Survivors Speak Out Network, Women’s League of Burma, and Women’s Peace Network, “Draft Crimes Against Humanity Convention Must Center Victims and Survivors,” <https://www.globaljusticecenter.net/wp-content/uploads/2023/11/Victims-and-Survivors-Expert-Legal-Brief-CAH-Treaty.pdf>, pp. 4-7.

⁴¹ *Situation in the Democratic Republic of Congo in the case of The Prosecutor v. Ntaganda*, ICC, Case No. ICC-01/04-02/06, Reparations Order (Trial Chamber VI), March 8, 2021, para. 122, p. 46: Judges underlined that children born of conflict-related sexual violence are to be considered as direct victims due to the significant harm they endured as a direct consequence of the sexual violence. Moreover, they can also be recognized as indirect victims, given the transgenerational harm they have endured due to the profound impact of conflict-related sexual violence on their mothers. See *ibid.*, para. 182; this was reaffirmed in *Situation in Uganda in The case of the Prosecutor v. Dominic Ongwen*, ICC, Case No. ICC-02/04-01/15, Reparations Order (Trial Chamber IX), February 28, 2024, p. 76, §125.

alleged offenders in a manner not prejudicial to the rights referred to in draft article 11.

Proposal for Future Convention: Incorporate in article 12 specific measures to ensure the participation of child victims and witnesses, emphasizing the best interests of the child, child-sensitive approaches, and the importance of criminal procedures designed for children:

1. Each state shall take the necessary measures to ensure that: ...

(c) Regarding child victims and witnesses

i. In all proceedings concerning children, the best interests of the child shall be a primary consideration, and a child who is capable of forming his or her own views shall have the right to express those views freely with the views of the child being given due weight in accordance with the child's age and maturity.⁴²

ii. Criminal processes, including reparations, should be accessible to and protective of children.

Rationale: Children are both targeted for and impacted by crimes against humanity in specific ways, including by their particular age, developmental stage, or other circumstances related to their status in society. Yet tribunals focused on the most serious crimes rarely engage children as victims and witnesses. This happens for several reasons, including 1) misconceptions and damaging assumptions about children's credibility, memory, or capacity to understand what is being asked of them, 2) fear of re-traumatizing children, 3) failure to make processes protective and accessible to children, 4) failure to address the needs of the individual child, and 5) failure to consider and treat children as fully-fledged rights holders. As a result, adult-centric processes have treated children as a homogeneous group and largely excluded them.

⁴² CRC, arts. 3(1), 12(1).

Children have a right to be heard in judicial and reparation proceedings that affect them.⁴³ They are entitled to special care and protection “necessary for their well-being,”⁴⁴ and “measures to promote their physical and psychological recovery and social reintegration,”⁴⁵ with the child’s best interests being a primary consideration.⁴⁶

F. Article 12(3) – Reparations

Draft Articles: The draft articles reference the right to reparation in article 12 (3):

Each State shall take the necessary measures to ensure in its legal system that the victims of a crime against humanity, committed through acts attributable to the State under international law or committed in any territory under its jurisdiction, have the right to obtain reparation for material and moral damages, on an individual or collective basis, consisting, as appropriate, of one or more of the following or other forms: restitution; compensation; satisfaction; rehabilitation; cessation and guarantees of non-repetition.

Proposal for Future Convention: Make the suggested revisions below in italics.

Each State shall take the necessary measures to ensure in its legal system that the victims of a crime against humanity, committed through acts attributable to the State under international law or committed in any territory under its jurisdiction, have the right to obtain *prompt, full, and effective* reparation, *including through administrative or other reparation programs*, for ~~material and moral damages~~ *any physical, mental, moral, material, legal or other harm*, on an individual or collective basis, consisting, as appropriate, of one or more of the following or other forms:

⁴³ CRC, art. 12. See also UN Committee on the Rights of the Child, General Comment No. 12, The right of the child to be heard, U.N. Doc. CRC/C/GC/12 (2009), paras. 133-134.

⁴⁴ CRC, art. 3(2).

⁴⁵ CRC, art. 39.

⁴⁶ CRC, art. 3(1).

restitution; compensation; satisfaction; rehabilitation; cessation and guarantees of non-repetition.⁴⁷ *Each State shall further ensure that special attention be given to child victims.*

Rationale: As currently drafted, the draft articles call for measures for victims “in its legal system,” which could be understood as limiting reparation to victims of crimes against humanity who pursue legal proceedings. The suggested edits will ensure that child victims who are unable to or unwilling to engage in judicial proceedings are still able to benefit from administrative or other reparation programs. Moreover, the current draft articles call for “reparation for material and moral damages.” This wording should be expanded because it is limiting and fails to recognize the diverse forms of harm suffered by child victims of crimes against humanity.⁴⁸

The addition of special attention for children in reparation programs derives from article 39 of the Convention on the Rights of the Child which mandates states to “take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim.... Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.”

Because child victims of crimes against humanity suffer unique and distinct harms from adults and have specific needs, reparation measures and programs must include provisions specifically tailored and responsive to children’s situations, including financial

⁴⁷ This language is proposed in: Amnesty International, Center for Human Rights Advocacy, Dr. Denis Mukwege Foundation, Free Yezidi Foundation, Global Justice Center, Global Survivors Fund, Grace Agenda, Grace Acan, International Center for Transitional Justice, REDRESS, Survivor Speak Out Network at Freedom from Torture, Women’s League of Burma, and Women’s Peace Network, “Draft Crimes Against Humanity Convention Must Center Victims and Survivors,” <https://www.globaljusticecenter.net/wp-content/uploads/2023/11/Victims-and-Survivors-Expert-Legal-Brief-CAH-Treaty.pdf>, pp. 7-10.

⁴⁸ UN General Assembly, “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,” Resolution 60/147, U.N. Doc. A/RES/60/147 (2005), art. 8, recognizing that harm can include “physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights.” The Ljubljana-The Hague Convention does not list types of harm in order to avoid unduly limiting the notion and providing states with leeway in recognizing forms of harm not envisaged by the drafters of the Convention: Ljubljana-The Hague Convention, art. 81. ICC jurisprudence has recognized that harm can be material, physical or psychological, and that emotional or economic loss can also fall within the definition of harm. *The Prosecutor v. Thomas Lubanga Dyilo*, ICC, Case No. ICC-01/04-01/06-1432, Judgment on the appeals of The Prosecutor and The Defence against Trial Chamber I’s Decision on Victims’ Participation of 18 January 2008 (Appeals Chamber), July 11, 2008, para. 32; Situation in the Democratic Republic of the Congo, ICC, Case No. ICC-01/04-101, Decision on the Applications for Participation in the Proceedings of VPRS 1, VPRS 2, VPRS 3, VPRS 4, VPRS 5 and VPRS 6 (Pre-Trial Chamber I), January 19, 2006, para. 116.

and symbolic measures as well as measures to guarantee access to education, access to physical and psychosocial care, and to encourage community acceptance and inclusion. Reparation measures and programs should guarantee child victims' active participation in a manner that safeguards their interests and prevents further stigmatization or exclusion. Reparation measures should be child-sensitive, including by shaping reparation policies and programs around the best interests of the child. Reparation also should be tailored, gender-sensitive, and age-appropriate, as children's needs vary significantly depending on their gender, age, and abilities.⁴⁹

⁴⁹ Global Survivors Fund, "Briefing on reparation for children born of conflict-related sexual violence: Exploring survivors' perspectives from the Global Reparations Study," June 2024, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Policy_Briefs/Briefing_on_children_born_of_CRSV_web_Final.pdf (accessed September 26, 2024), p. 23.

III. Conclusion

We strongly encourage incorporating child-specific provisions and child-centered approaches into the future convention to capture children's unique experiences and needs, and to uphold their rights. This will enhance the protection of children and ensure accountability and redress for serious crimes that disproportionately target and impact them.

Endorsements

Organizations endorsing:

1. Amnesty International
2. Child Rights International Network (CRIN)
3. Civitas Maxima
4. Dallaire Institute for Children, Peace, and Security
5. Defence for Children International (DCI)
6. The Global Coalition to Protect Education from Attack (GCPEA)
7. Global Centre for the Responsibility to Protect
8. Global Justice Center
9. Global Rights Compliance
10. Global Survivors Fund
11. Human Rights Watch
12. Institute for International Criminal Investigations (IICI)
13. Legal Action Worldwide
14. MADRE
15. No Peace Without Justice
16. Physicians for Human Rights
17. Save the Children
18. Terre des Hommes Lausanne Foundation
19. The Dr. Denis Mukwege Foundation
20. TRIAL International
21. UN Committee on Rights of the Child
22. Violences Sexuelles & Enfance en Guerre (VSEG)
23. War Child Alliance
24. Watchlist on Children and Armed Conflict
25. Women's Initiatives for Gender Justice
26. Working Group of Child Rights Connect on Children and Armed Conflict (Arigatou International, CARE International, Child Rights International Network, Defence for Children International, ECPAT, Global Coalition to Protect Education from Attack, Plan International, Save the Children, Terre des Hommes International Federation, War Child Alliance)

Individuals endorsing:

1. Sareta Ashraph, Barrister specialised in international law, Garden Court Chambers, London
2. Shyamala Alagendra, Advocate & Solicitor (Malaysia) and international criminal lawyer.
3. Diane Amann, Special Adviser to International Criminal Court Prosecutor Fatou Bensouda on Children in and affected by Armed Conflict (2012-2021)
4. Erin Farrell Rosenberg, adjunct professor, University of Cincinnati College of Law; Visiting Scholar, Urban Morgan Institute for Human Rights
5. Priya Gopalan, International criminal lawyer and transitional justice expert
6. Prof. Kevin Jon Heller, Professor of International Law and Security, University of Copenhagen, Department of Political Science (Centre for Military Studies)
7. Dr. Melanie O'Brien, Associate Professor, University of Western Australia Law School and President, International Association of Genocide Scholars
8. Mikiko Otani, Former Chair of the UN Committee on the Rights of the Child, President of Child Rights Connect
9. Laura Perez, Adjunct Professor, School of International and Public Affairs, Columbia University
10. Leila Nadya Sadat, James Carr Professor of International Criminal Law; Director, Crimes Against Humanity Initiative; Chair, International Law Association (American Branch)
11. Professor Ann Skelton, Former Chairperson of the Committee on the Rights of the Child, Chair of Children's Rights in a Sustainable World, Leiden University

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