



Children & the ICC

Children are too often the targets or witnesses of atrocity crimes: they are enslaved, raped, starved, taken from their families, forcibly recruited into armed forces, and made to commit violent acts within their own communities. They may have to watch their family and friends be murdered, tortured, or sexually assaulted. For children especially, justice is incomplete if it simply ends with the punishment of a criminal. Justice for children requires the counseling and protection of child victims and witnesses, the opportunity for children to understand that they are not to blame for what happened to them and their society, and the financial means to ensure their psychological, medical, social, and educational rehabilitation.

Prosecuting Crimes That Target Children

The ICC can prosecute those who recruit and use child soldiers.

- Children under the age of 15 cannot be recruited into armed forces, whether a national army or a rebel group. The ban applies to both international and domestic conflicts.
- This ban is not limited to children who actually bear arms, but also protects children used as scouts, porters, cooks, sex slaves, or in any other capacity by an armed group during conflict.
- The ICC treats child soldiers as victims, not criminals: it cannot prosecute anyone who was under the age of 18 at the time of a crime's commission.

The ICC will also prosecute criminals who traffic and enslave children on a widespread or systematic basis.

During conflict, children are particularly vulnerable to violence and instability. The ICC details protections for civilians during conflicts that will hold perpetrators accountable for the unnecessary deaths and suffering of children.

- Starvation cannot be used as a military tactic, and relief supplies cannot be purposefully blocked.
- Peacekeepers and relief workers helping children cannot be attacked.
- Families cannot be forcefully deported or displaced from their homes, and children cannot be systematically separated from their families.
- Places where children might seek haven (such as schools, religious buildings, and hospitals) cannot be intentionally targeted for destruction.

Protecting Children

To avoid re-traumatizing child survivors, the ICC will carefully protect children who testify in court.

- It is the explicit responsibility of all branches of the Court to ensure the safety, psychological health, and confidentiality of child witnesses.
- The Court will make special arrangements before, during, and after the trial to ensure the safety of children and their families.
- Judges and staff members will include experts on traumatized children, and judges are charged with preventing lawyers from harassing or intimidating children on the stand.
- Children can have legal representatives, a court-appointed support person, and the presence of a psychologist or family member during testimony.
- To protect their confidentiality and to avoid further frightening experiences, children can testify in closed hearings, through video, or by other means.
- Children will not have to testify in front of their assailant, and their voice and image can be altered to protect their identity.