

### 1.3. Hearings on the Protection of War-Affected Children (1999-2002)

Despite international legislation adopted over the last 25 years, armed conflict places children in situations where they have no security, no stable family structure, no access to food or proper drinking water or to education or health services, no home to go to, and in many cases no hope. In addition to wars between nations, the number of internal conflicts has increased since the end of the Cold War, bringing with them gross violations of children's rights. International treaties have been adopted to deal specifically with the protection of war-affected children yet many countries fail to comply with these laws. The safety of children internationally is a concern stemming from the violent nature of conflicts currently being waged, the prolonged impact resonating from them and because warring factions are now targeting children as part of their strategy.

The concern of child rights advocates does not stop when the war ends; the aftermath of war also affects children's lives. Peace processes tend to be neither peaceful nor smooth processes. It may often take longer to rebuild war-torn political, social and cultural infrastructures than to wage a conflict. Some children live out their childhood and young adult lives entirely within phases of conflict and peace building without ever experiencing a period of security and well-being.

During the cycle of Hearings on the Protection of War-Affected Children, the International Tribunal for Children's Rights is working to identify organisations responding to issues affecting children in armed conflicts as well as regional processes that promote children's rights and welfare. The Tribunal's Bench assesses the immediate and primary problems facing children before, during and after conflict based on testimonies by expert witnesses from international agencies, local organisations, including children and youth, lawyers, academics, and advocates, all of whom have expertise in or experiences related to children's rights.

An important aim of these Hearings is to encourage an understanding of underlying causes, to share ideas and to initiate and encourage dialogue that can lead to solutions. An important factor in achieving these objectives is to recognise the vital working relationships with non-governmental organisations (NGOs), community-based organisations (CBOs), government agencies and international organisations that have developed expertise in and understanding of children's rights. Building networks and knowledge through this process will enable efficient follow-up activities to complement existing working policies and programmes.

The current cycle of Hearings on the Protection of War-Affected Children of the International Tribunal for Children's Rights covers a range of issues related to children

in situations of armed conflict through which their basic human rights, protected under the CRC and other international instruments, are being violated. In order to determine the best preventative methods to promote compliance by state and non-state actors of international mechanisms set out to protect children, the Hearings provide a setting in which new strategies can be created and the best interests of children are paramount. Each of the Hearings within this current cycle focuses on a particular set of concerns:

#### *First Hearings – Exploring International Standards Relating to Children Affected by Conflict, Colchester, United Kingdom, April 2000*

The First Hearing under the current mandate focused on the rules set by international conventions, standards and law, reviewing their application to children in zones of conflict. The goal was to determine how effective or ineffective current instruments are with respect to the violation of children's rights.

#### *\*Second Hearings – Understanding the Conflict Children Face: An Investigation of the Immediate Challenges in Pre-, During and Post - Conflict Periods (Bosnia)*

The Second Hearings on the Protection of War-Affected Children will target issues relating to internal conflicts. The Hearings will examine the effectiveness of the international principles and norms as they are implemented and relate to programmatic practice on the ground dealing with children being targeted, exploited and traumatised by internal conflicts. For example, the proliferation of landmines and small arms will be given serious consideration by the Tribunal through expert testimonies on the impact of these tools for warfare on children throughout all stages of armed conflict, during and after. The Hearings will also focus on the impact and outcomes of international humanitarian interventions resulting from conflicts on sovereign nations. Further, the examination of current activities to strengthen international agendas will be given priority as they relate to the protection of all children's rights and well-being as needing consideration above political objectives of warring factions. Finally, the Bench will hear testimonies from specialists of conflict mediation and resolution in order to discern the best practical methods to respond to the needs and rights of children.

#### *Third Hearings – Children Running from Conflict: The Plight of Refugee and Internally Displaced Children (Africa)*

The Third Hearings on the Protection of War-Affected Children will include testimonies on the difficult situation of child refugees and Internally Displaced Persons (IDP). War leaves many children homeless and orphaned. Some flee the country for safer lands, either with their families or

\* The future Hearings of the International Tribunal for Children's Rights are currently in the process of being determined. Previously it was decided that two more Hearings would complete this cycle on war-affected children. The Bureau is now assessing the needs and priorities of this process and will determine whether one or two more Hearings will be required to complete the global report.