



## **On the Record for Children**

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### **From the AP Editorial Desk**

#### **Child Advocates Divided Over Prosecution of Young War Criminals in Sierra Leone**

*Anguish over mutilated young victims and young perpetrators*

In a disagreement which has major implications for the use of child soldiers and also for attacks on children in war, child advocates are divided over whether a proposed international tribunal for Sierra Leone should have the power to prosecute young war criminals.

The issue has created much emotion and could complicate NGO efforts to put the whole issue of children and armed conflict on the PrepCom agenda.

The war in Sierra Leone has provided graphic images of mutilated children, and the fact that many of the killers were themselves children has made the conflict doubly intolerable. Over 5,000 children, some as young as eight, have fought as soldiers and many have committed gruesome crimes.

The prospect of young children being prosecuted in Sierra Leone alarms many NGOs because so many children were forced by adults to commit atrocities. Dan Seymour, UN representative for Save the Children, pointed out that many had been abducted, drugged, brainwashed, and forced to take up arms under the threat of death. To put them on trial would further victimize them, he said. It would also cause further trauma and work against their rehabilitation.

On the other side of the issue, Olara Otunnu, the Special Representative of the Secretary General for Children and Armed Conflict, appears to feel that the legal responsibility for war crimes should be clearly established even if the perpetrator is young.

Ilene Cohn, Mr. Otunnu's Programme Director, told On the Record that undergoing trial is a crucial step towards rehabilitation and return to society. Reconciliation requires an admission of responsibility before the former child soldier can go on with life, she said.

Ms. Cohn pointed out that in Rwanda, thousands of child soldiers charged with genocide have languished in jail for years. Many would be better off if they went through an internationally-supervised judicial process.

Unconvinced, Save the Children and other organizations are recommending that the young Sierra Leonian killers should be processed by the Truth and Reconciliation Commission called for by the Lome Peace Accords, which the Sierra Leonian belligerents signed in July 1999. Mr. Seymour said that a truth commission -- which would not have the power to prosecute -- would be less of a frightening prospect and encourage young soldiers to turn themselves in.

This disagreement among child advocates has been mirrored in a similar exchange between the office of the UN Secretary General and the UN Security Council, which are trying to reach agreement on the statutes for a special tribunal on Sierra Leone.

Under the most likely compromise, the decision whether or not to prosecute minors will be left up to the prosecutor. In the event that prosecution goes forward, children would not be subject to the death penalty or even imprisonment. Instead, they would be subject to "alternative options" including supervised rehabilitation, community service, and gradual reintegration into society.

Whether it even gets this far depends on the resources available to the proposed tribunal. Even with the amount being proposed - about \$20 million in the first year -- the tribunal would only try a few child soldiers. This, say advocates, is another argument for focussing on those who gave the orders rather than the soldiers who followed them.

In addition, the formula for the tribunal under discussion would allow for Sierra Leonian nationals to serve as judges and even share the prosecution. Some fear that this might weaken the legal protection available to defendants in a highly visible case.

## **Outcome Document Weak and Vague, Warn NGOs**

### *Battlelines drawn*

Nongovernmental organizations attacked the draft outcome document for lacking a clear strategy and proposals for action, at a meeting Sunday with senior officials from UNICEF and the chairperson of the conference Bureau.

Speaking on behalf of the Child Rights Caucus, Bill Bell drew the battlelines for this week's lobbying with a tough critique of the Outcome document, entitled "A World Fit For Children."

His comments reflect the concern of many NGOs, and were delivered at the first major public exchange between UNICEF and NGOs since publication of the controversial Outcome document.

Mr. Bell singled out three main areas of particular concern with the Outcome document:

- The lack of a clear strategy and action program for achieving the document's goals.
- The failure to reflect the full range of rights.
- The absence of key issues such as protection for children separated from their families, and the impact of environmental damage on children's health and children's participation, which he said was "not just a matter for adolescents."

The document should be a 'stronger, much more action-oriented document,' he said. It should make a stronger commitment to tackling poverty, and acknowledge the danger of globalisation. Bell also urged that there should be a single monitoring process for the action plan set by the Special Session and for the Convention on the Rights of the Child.

The meeting also gave NGOs the chance to hear directly from Carol Bellamy, Executive Director of UNICEF, her deputy Kul Gautam, and from Ambassador Patricia Durrant, chairperson of the Bureau.

Ms. Bellamy set a frank but constructive tone in her address, by emphasising the improvements made in children's lives in the last decade. She noted that one-third of all countries have reduced the death rate among children under five and that polio has been almost eradicated. Advances have also been made in primary education, she said. These, said Bellamy, were among the goals set by the 1990 World Summit.

At the same time, Bellamy admitted that 'none of the goals will be entirely met everywhere.' Poverty remained deep and abiding. Violence persisted in the family and in society at large, and the scourge of HIV/AIDS was on the increase. In terms of solutions, Bellamy emphasized the importance of investment in basic social services, strong families and children's participation.

Resham Patel of the World Association of Girl Guides and Girl Scouts, who addressed the meeting on behalf of youth, said that the Outcome document was "not child-friendly," and described it as more idealistic than realistic. Calling for a lot more children's participation in the Special Session process, she noted acerbically, 'There's a difference between participation and being heard.'

The third NGO speaker, Ibrahim Sesay, who works for Caritas in Sierra Leone, emphasised the depth of the disparities that had to be bridged. In parts of Sierra Leone, for example, it had been found that 18 percent of women aged 18-49 had never heard of HIV/AIDS. Like the others, he wanted clearer strategies for achieving aims and commitments, and more effective participation.

Ambassador Durrant, the Bureau chairperson, expressed appreciation at NGO contributions.

**Comment: Children Affected by Armed Conflict  
by Kathy Vandergrift and Mary Diaz**

*- 'Our collective failure to protect children must be transformed into an opportunity to confront the problems that cause their suffering.' Graca Machel, The Machel Review, 1996-2000.*

Hope and impatience flow together for those who bring to the Special Session their concerns about children affected by armed conflict (children who are refugees, internally displaced and those living in war zones). In 1996, Graca Machel's report on The Impact of Armed Conflict on Children forced the world to recognize what is happening to young people caught up in war. Since then, we have numerous successes in the international policy arena. NGOs have led the way in bringing about the 1997 Mine Ban Treaty, the Optional Protocol to the Convention on the Rights of the Child, which establishes 18 as the minimum age for participation in hostilities, and the statute establishing the International Criminal Court.

In 1997, the Office of the Special Representative of the Secretary General for Children and Armed Conflict was established, and in this position Olara Otunnu has been a strong voice for young people. And last year, at conferences in Accra, Ghana and in Winnipeg, Canada, additional pledges were made to children, youth and their families, promising greater international action for communities suffering at the hands of armed groups. The Winnipeg meeting was the first International Conference on War-affected Children, and over 130 countries agreed to an Agenda for Action, but little has been done.

Progress has been made in conferences and meetings by diplomats and policy makers far from the fighting, but the reality for children at the village level remains grim. More than two million children in Angola, Sudan, Burundi and Colombia have been internally displaced by war. In Sierra Leone, thousands of children have lost limbs and millions have lost their lives, families and homes. Today in Chechnya, Afghanistan, the Democratic Republic of Congo and a dozen other countries, young people are dying from landmines, starvation and war-related causes.

The Special Session for Children presents another opportunity to move from rhetoric to action. Armed with an NGO Action Plan that developed through preparations for Security Council meetings and international conferences, NGO delegates to the Second Preparatory Session are looking for concrete measures to prevent the involvement of children and young people in armed conflict.

During this week, a special panel will draw attention to the need for urgent action: a youth forum will allow young people to ask government leaders questions on this subject; and members will work to make the Outcome document stronger and more specific. Measurable targets, deadlines, and accountability are needed.

Most governments know what needs to be done; what is missing is the political will to do it. In the words of Graca Machel, 'the impact of armed conflict on children is everyone's responsibility and must be everyone's concern.'

- Kathy Vandergrift is from World Vision International and Mary Diaz is from the Women's Commission for Refugee Women and Children. Ms. Vandergrift chairs the Canadian Working Group on Children and Armed Conflict and Ms. Diaz chairs the NGO Committee's Sub-Working Group on Children and Armed Conflict.

## **NGOs Push for Alternative to the Outcome Document**

*Caucuses show their value as organizing tools*

In a concerted push to improve the draft Outcome document, NGOs are preparing an alternative text for presentation to governments at the PrepCom later this week.

The alternative text, which is circulating at the meeting, has taken input from 25 organizations as of January 26. It is both an attempt to improve the conference document, which many NGOs have criticized, and also a demonstration of the growing importance of the caucus as an NGO organizational tool.

The presentation of the alternative text is considered particularly important by its NGO authors. The draft is presented in such a way that governments can see clearly where the NGOs take issue with their (government) positions. This is done by visibly putting a line through inappropriate words and by underscoring the new language.

NGOs can submit suggestions in writing to the daily Linkage Caucus meetings. An editing group will incorporate the changes, producing a second draft on Tuesday and a third on Wednesday. The aim is to distribute an agreed draft to government delegates by Thursday at the latest.

The task of coordinating the alternative text has been assumed by the Child Rights Caucus, which also acts as the "linkage caucus" with the other NGO caucuses at the PrepCom -- on girls, health, youth, armed conflict and violence. There are also six regional caucuses.

These other caucuses will also meet regularly during the PrepCom to pursue their specific areas of interest. Mary Purcell, from the Girls Caucus, expressed concern about 'a lack of focus on the special needs of girls in the official conference outcome document.' This applies particularly to areas in which girls are vulnerable, such as HIV/AIDS and female genital mutilation.

Mary Diaz of the Caucus on Children and Armed Conflict says the caucus 'is an opportunity for all participants to collaborate, to share ideas and viewpoints, priorities and strategies.'

## **Children's Express on Children in War**

In today's conflicts, children are first among the victims. They are killed, maimed, sexually abused, forced into sexual slavery, recruited to fight, and traumatized. Many of those who survive do so at the cost of their youth, education and health. On this page, we look at how these appalling facts are viewed by the young reporters from Children's Express (CE). In the first piece, CE talks with Olara Otunnu, the United Nations Special Representative for Children and Armed Conflict. In the second piece, a CE team interviews two young victims of the terrible war in Sierra Leone. The material has been slightly shortened for length but, in keeping with CE's own formula, has been entirely written and edited by CE's own editorial staff.

## **The Littlest Casualties**

**Olara Otunnu**, United Nations Special Representative for Children and Armed Conflict, asks for CE's perspective on war's impact on children.

**Otunnu:** Josh, in your experience as a reporter, what are the recurring themes that children and youth focus on?

**Josh Kretman**, 18, Editor, Children's Express Washington, DC: The primary reaction is fear. We interviewed a Bosnian refugee who was a television journalist in Pristina and she talked about how her two children responded. Her son questioned everything: What's gonna happen to us? What's gonna happen to our family? Where are we going? He was distraught and full of anxiety about what was happening, and rightfully so.

It's a very traumatic experience, life altering and very unexpected. Oftentimes that can lead to a lot of anger and resentment toward those who are causing the conflict.

**Otunnu:** Tina, what has been your experience in the legacy of childhood spent in the midst of war and conflict?

**Tina Coclough**, Bureau Director, Children's Express Belfast: In Guatemala in the highland they found that the children who had lived in this conflict had forgotten how to be children and how to play. The project aim was to try and recover their childhood and I think it was very successful. Here in Northern Ireland more than 3,600 people were killed and more than a third of those killed were under the age of 24.

Even though we have peace now [in Belfast], nevertheless, the legacy still remains for some of our members in Belfast who won't cross over the peace line. They won't go swimming because they're scared they'll meet somebody from a different culture who will start to call them names, harass them, give them a problem.

**Otunnu:** At the United Nations we've been promoting the idea of placing children on the peace agenda. Eric, what are the practical advantages gained in developing networks of children and youths empowered to speak about armed conflict and issues related to the protection of fellow children living in conflict situations?

**Eric Graham**, CEO and President, Children's Express Worldwide: I am recalling a day not so many months ago sitting under a tree on the border of Rwanda. I was holding the hand of a young child who -- at a very young age -- had watched her parents killed in an unspeakable manner. She was trying to come back to life, to deal with the horror, to move on, and rebuild her precious little life. She did that effectively through a program run by another NGO that was helping her tell the story.

Sometimes in these unspeakable horrible situations the voice of that child needs to be found first by that child. We can help children find their voice. Once they've found that voice, we can help them to amplify it, which sends a powerful message that says, "I can make a difference. I can make a difference in my life, my community, in the world."

That critical mass of children's voices is central to making a difference both in conflict areas and in places less oppressed.

**Josh:** I agree completely. Not only is a network much stronger, but I think that the young people involved feel much more confident and feel much more open to express themselves when they are in contact with other young people. In countless interview situations dealing with conflict, young people open up when they're talking with other young people. They'll express themselves and they will say their true feeling. They really are much more powerful when children are working with other children. In Sierra Leone, kids and adults are being maimed by rebels who want control of the diamond mines in this mineral-rich country. Widows and orphans have been left defenseless against the attacks because their husbands, brothers and fathers have been killed. The rebels who attack the villages want to get rid of the current government so they can make themselves rich, and if that means cutting off a child's left arm in the process, they will do it. CE interviewed Muctarr Jalloh and Bintu Koroma who are part of a group from Sierra Leone who are in the U.S. to be fitted for prosthetic limbs.

### **Where Diamonds Are A Childs Worst Nightmare**

CE News Team: Kisha Kantasingh, 17 and Wade Spiner, 11

Eight-year-old Bintu wore blue jeans and a short sleeved white t-shirt, so the stub where her left arm had been was visible. She described the day the rebels came to her house and demanded money, which her mother didn't have.

"They led us to the cotton tree, where we sat together with others who had been captured. I was the first one they called. They grabbed my left hand, put it on the root of the tree and chopped it off. I was four years old." Jalloh, 27, was chosen to come to America because he can speak English so he translates for the kids. He explained that the people of Sierra Leone live in refugee camps in thin plastic tents because their homes have been burned. His right hand and right ear were cut off after being captured. When they found out he was a student, they burned his high school diploma, and all of the important documents he had with him.

Sometimes it just depended on what kind of clothes a person was wearing. 'If it is long sleeved, they cut the hand, and if it is short sleeved, they cut it right above the elbow," Jalloh said.

The group is being fitted for prosthetic limbs with donations, as well as the help of various organizations including local New York City-area Rotary Clubs and Matthew Mirones, the owner of a prosthetics company. Jalloh has already started practicing with his artificial arm. The day he was able write his name again, he said he was 'the most happiest man in the world.'

### **Profile: Patricia Durrant:**

*'Developing a Global Movement in Support of Children'*

Ambassador Patricia Durrant is Jamaica's Permanent Representative to the United Nations. She

is also Chairperson of the conference Bureau. Here she speaks to On the Record about her hopes for the PrepCom and Special Session.

**Q.** As Chairperson of the Bureau, could you tell us what perspective governments have on the process to date?

**Ambassador Durrant:** As you know, we've had one substantive session of the proprietary committee where governments and NGOs presented their views on what progress has been made since the World Summit for Children took place in 1990. Based on the views expressed at that meeting, the Bureau, in concert with UNICEF, has prepared a draft Outcome document for review at this session.

We think our status of the world's children report has struck an excellent balance between the rights-based approach, called for under the Convention on the Rights of the Child, and child development goals, found in the Declaration and Plan of Action on the Survival, Protection and Development of Children adopted at the World Summit in 1990.

The national reviews presented at this meeting will take into account the importance this synergistic balance has for creating a world fit for children where both the rights of the child and basic goals of health, education and social development have a place.

**Q.** What can you say about the level of commitment and focus among parties involved to achieve this synergistic balance you've mentioned?

**Ambassador Durrant:** I think it's clear to all of us that we share a common goal and that is to create a world fit for children. We are very excited by the high level of NGO participation. In fact, one of the first decisions the proprietary committee unanimously agreed upon was NGO involvement, demonstrating that governments recognize the importance each group plays at the national, regional, and international level.

There is a developing global movement in support of children, as evidenced by government participation at thematic and regional meetings held since the first preparatory meeting. This fall, the Iberia American Summit in Panama brought together governments, NGOs, and young persons from all over the Americas.

What became clear from that meeting was that heads of government are committed to addressing emerging issues which deeply impact children's lives. Their commitment resulted in a target set for halving poverty by the year 2015 and making progress on HIV/AIDS. The proprietary work has already begun for a meeting on HIV/AIDS this June.

**Q.** What role would you like to see the NGOs adopt?

**Ambassador Durrant:** I don't believe we need to make suggestions in this respect because the NGOs are uniting on issues they want progress on. They are developing caucuses which will allow them to address issues among themselves for presentation during the special session. We are confident that governments' and NGOs' parallel

processes will facilitate the development of an Outcome document of which we can all be proud.

**Q.** Jamaica has been a strong advocate for social justice in Africa and the Caribbean, and has played a pivotal leadership role in CARICOM. What do you envision as Jamaica's role on children's issues?

**Ambassador Durrant:** Jamaica hosted the Iberia American Summit meeting, which brought all of the countries of the Americas, from Canada down to Chile, together. The paper developed at this meeting will be presented to the Special Session with a strong emphasis on achieving social justice for children, particularly on reducing poverty levels among children and addressing their basic health and educational needs under the rights-based approach reflected in the Convention on the Rights of the Child.