

From **Powerless** to **Empowered**: the **voices** of **war-affected children** in **transitional justice**



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1. WHAT IS TRANSITIONAL JUSTICE?

- No ordinary justice: mechanisms address the **legacy** of **serious human rights violations** in conflict;
- Designed for countries in a process of **'transition' from war to peace**, and for societies **transforming themselves** after a period of human rights abuse;
- **Recognition is key**: of the **dignity** of individuals, **acknowledging** violations, and importance of **preventing future atrocity**



2. RESEARCH CONTEXT

Studies show that:

- Children have a **strong desire to be heard** in transitional justice
- Children identify **a need to tell their own stories**. [1]

Despite this, however:

- Policy has **failed to support contributions from children under the age of 18**.
- This disregards the significance for children to **express their views and be considered in processes concerning them** (Article 12 of the **United Nations Convention on the Rights of the Child**). [2]



3. RESEARCH QUESTION

How can – and why should - meaningful child participation in transitional justice be facilitated in post-conflict environments?

SUB-QUESTIONS:

- **How do** the **experiences of 'ex-children'** of conflict, as 'children of the past,' **make the case** for the participation of 'children of the present' in transitional justice?
- How can a focus on **'participation rights'** enable the child's **right to be heard** in transitional justice mechanisms?
- **What can we learn** from the **intergenerational effects** of conflict on children to **inform future practice**?



4. RESEARCH METHOD

Phase One

- First comprehensive review of transitional justice mechanisms and their work with children

Phase Two

- Fieldwork at **two geographical case study sites** with a history of extended conflict.
- Partnering with **established organisations** to undertake research - **review documented evidence, observe and interview ex-children** (if permitted).



5. SUMMARY

- Transitional justice should **pay specific attention to children** and their **right to participate, BUT**;
- Policy of transitional justice has not **systematically** embraced the participation of children; **SO WHAT NEXT?**;
- Ask whether, in **looking to the past**, lessons can be learned about the benefits of **child participation** in transitional justice now, and in the future.

REFERENCES

- [1] Aptel, C. and Ladisch, V., 2011. *Through a New Lens: A Child Sensitive Approach to Transitional Justice*. [located at: <https://www.ictj.org/sites/default/files/ICTJ-Children-Through-New-Lens-Aptel-Ladisch-2011-English.pdf>] [last accessed: 14 May 2018] 12
- [2] UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577 [available at: <http://www.refworld.org/docid/3ae6b38f0.html>] [accessed 14 May 2018]