

# UNIVERSITIES NETWORK FOR CHILDREN IN ARMED CONFLICT

## ADVANCED TRAINING COURSE

### INTERNATIONAL CRIMINAL JURISDICTION AND CHILDREN IN ARMED CONFLICT

18 May - 28 July 2023

#### THE AIM OF THE COURSE

The Advanced Training Course organized by the Universities Network intends to develop the skills of legal professionals in the field of international justice on issues related to children affected by armed conflicts.

In the past decade alone, armed conflicts are estimated to have claimed the lives of over two million children and physically maimed six million more. Conflict deprives children of parents, care-givers, basic social services, health care and education. There are some twenty million displaced and refugee children, as well as one million orphans, while others are held hostage, abducted or trafficked. Thousands of boys and girls are used as soldiers in armed conflicts around the world.

Children have special short and long term post-conflict needs, such as for tracing of family members, redress and social reintegration, psycho-social rehabilitation programmes, participation in disarmament, demobilisation and reintegration programmes, as well as a quest for justice within transitional justice frameworks and at the national and international level. However, while increasing efforts are undertaken at the international level to address crimes against and affecting children's, as well as the victimisation suffered, in many situations, there remains a climate of impunity for those committing crimes against children.

The Advanced Training Course aims at bringing conceptual clarity to the issue of children and justice in times of armed conflict by, analysing the evolution of the rights of children, the relevant legal provisions and the current status of the practice at the international level. The Course will focus on the phenomenon of children in armed conflict and present the legal basis for the protection of children in armed conflict in Human Rights Law, International Humanitarian Law and International Criminal Law. Specific attention will be given to the crimes committed against and affecting children, including sexual and gender-based crimes. The role of the International Criminal Court will be explored, namely in investigating and prosecuting crimes against and affecting children and the participation of victims in the proceedings; as well as the sociological and psychological approach to children affected by armed conflict and involved in criminal proceedings and their protection.

## STRUCTURE OF THE COURSE

The Course – structured in two modules - will be held **in English**. The approach will be theoretical and practical, and it will include analysis of relevant case law.

Lessons will be given by leading international experts and practitioners with experience in national and international proceedings, including before international organizations, International Tribunals and the International Criminal Court. The sessions will consist of keynote lectures followed by discussions through questions and answer session aiming at stimulating interaction among participants. Each session will be broadcast live on a dedicated digital platform. In addition, during the Course, participants will have access to video recordings of all sessions via a dedicated online page.

The Course will take place two days per week on Thursdays and Fridays. Each lecture will last two or three hours per day depending on the topics to be addressed. The total duration of the Course is 50 hours.

The *first module* will focus on the phenomenon of children in armed conflict and it will analyse the development of Human Rights Law, International Humanitarian Law and International Criminal Law, particularly in the field of the protection of children and youth.

The *second module* will focus on the different international justice mechanisms available to protect the rights of children in armed conflict, the sociological and psychological approach to children affected by armed conflict and the International Criminal Court.

At the end of each module, trainees will be required to perform a written test in English on the subjects dealt with during the relevant module. Trainees will have to attend at least 80% of the Course to obtain the Certificate and successfully pass both written tests.

At the end of the Course, the Scientific Committee will award one internship and two scholarships to the best trainees evaluating the attendance to the Course and engagement; the performance during the Course and at the written tests. More information will be given during the Course.

One of the scholarship will be dedicated to the former Italian Ambassador to Australia, Mrs. Francesca Tardioli, who passed away prematurely in 2022, for her deep commitment to human rights protection.

## REGISTRATION TO THE COURSE

Registration to the Course is open from 15 February 2023 until 31 March 2023. A maximum of 30 candidates will be admitted to the Course.

Candidates will have to complete the Registration Form available [here](#).

**Please note** that good understanding of English (written and spoken) is essential to be admitted to the Course. Should the candidate have Language Certificate(s), she/he should mention it in the Registration Form and provide such Certificate.

Only a complete online application will be processed. A complete online application consists of the completed Registration Form and the following documents:



- 1) Valid Identity Card (with photo);
- 2) *Curriculum Vitae* (CV) in English;
- 3) Motivation Letter in English (max 400 words) stating the relevant background and reasons for choosing to apply for the Course, as well how the Course will support the candidate future endeavours in the field of HRL, IHL or ICL.

The Scientific Committee will evaluate applications on their completeness, persuasiveness, and professional presentation. If admitted to the Course, the candidate will be required to proceed with the payment of the relevant fees and she/he will need to provide proof of payment before the start of the Course.

#### FEES

500 EUROS (incl.VAT) for all candidates.

Students coming from disadvantaged areas, will be entitled of discounted rates.

#### CREDITS

The Lawyers Bar of Rome will recognize 20 certified training credits for lawyers.

## **PROGRAMME**

**18 May 2023  
14.00 – 14.30 CET**

### **INAUGURAL SESSION**

- *Welcoming address from members of the Scientific Committee of the Universities Network*
- *Address by Ms Virginia Gamba de Potgieter, Special Representative of the Secretary-General for Children and Armed Conflict*
- *Address by the President of the International Criminal Court*

### **FIRST MODULE**

**18 May 2023  
14.30-17.30 CET**

#### **The phenomenon of children in armed conflict**

The lesson will examine the situation of children in armed conflict by exploring the general framework of new modern conflicts, as well as the United Nations and the regional system approach to armed conflicts.

- 1 Children in armed conflicts: current data and analysis of the geopolitical situation.*
- 2. The United Nations system and the Office of the UN Secretary-General Special Representative for Children and Armed Conflict.*
- 3. The Regional systems to combat the phenomenon of children in armed conflict.*

**19 May 2023  
14.30-17.30 CET**

#### **The development of Human Rights Law (HRL) in protecting children**

This lesson will examine the rights afforded to children by the main human rights law instruments.

- 1. The 1989 Convention on the rights of the child (CRC).*
- 2. The CRC Optional Protocol.*
- 3. Who are children? Analysis of the adequacy of the ICRC and its Protocol to the current armed conflicts.*

**25 May 2023  
14.30-17.30 CET**

#### **The development of International Humanitarian Law (IHL) in protecting children**

This lesson will examine how International Humanitarian Law provides protection for children in the event of armed conflict, either of international or non-international nature.

- 1. International and non-international armed conflict. The modern conflicts and their challenges.*
- 2. The Geneva Conventions of 1949 (GCIII and GCIV).*
- 3. The Additional Protocols of 1977 (API and APII).*



**26 May 2023**

**14.30-17.30 CET**

**Introduction to International Criminal Law (ICL).**

This lesson will examine the evolution of the International Criminal Law through the examination of the international criminal bodies from the Nuremberg Tribunal to the International Criminal Court.

- 1. The Nuremberg Tribunal and the affirmation of the International Criminal Law.*
- 2 The International ad hoc Tribunals and Hybrid Courts.*
- 3 The International Criminal Court.*

**1 June 2023**

**14.30-16.30 CET**

**The soft law instruments protecting children in armed conflict**

This lesson will examine the soft law instruments addressing the issue of children in armed conflict and their impact on the protection of children in armed conflict.

- 1. The Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Group.*
- 2. The Vancouver Principles.*
- 3. The Safe School Declaration.*

**2 June 2023**

**14.30-16.30 CET**

**The six grave violations of children's rights in armed conflict.**

This lesson will examine the first Resolution on children and armed conflict adopted by the United Nations Security Council in 1999 and the six grave violations affecting children in armed conflict.

- 1. Killing and maiming of children.*
- 2. Recruitment and use of children by armed forces and armed groups.*
- 3. Sexual violence against children.*
- 4. Abduction of children.*
- 5. Attacks on schools and hospitals.*
- 6. Denial of humanitarian access for children.*

**8 June 2023**

**14.30-16.30 CET**

**Children and migration**

This lesson will examine the impact of migration on children.

- 1. The situation of children on the move.*
- 2. Migrants and international justice.*



**9 June 2023**

**14.30-16.30 CET**

**Impact of crimes on children exposed to armed conflict**

This lesson will examine the impact of crimes on children exposed to violence during armed conflict and the sociological and psychological approach to children affected by armed conflict and involved in criminal proceedings

- 1. How exposure to violence and armed conflict impact on the development of children?*
- 2. Which are the short term and long term effects of the exposure of children to violence and armed conflict?*
- 3. Which programmes can be put in place to alleviate the effects of the exposure of children to violence and armed conflict?*

**15 June 2023**

**14.30 -16.30 CET**

**Analysis of Case Law**

**16 June 2023**

**14.30 -16.30 CET**

**First Module's Written Test**

## SECOND MODULE

**22 June 2023**

**14.30-16.30 CET**

### **What is justice for Children?**

This lesson will examine the challenges to justice for children and the difficulties in ensuring accountability for crimes against or affecting children; and accountability for children.

1. *Challenges to justice for children.*
2. *Ending impunity and children accountability.*
3. *Maximizing justice for children.*

**23 June 2023**

**14.30-17.30 CET**

### **Accountability mechanisms for children affected by armed conflict at the international level**

This lesson will examine the accountability mechanisms established by the international community to fight the culture of impunity both at the judicial level and in non-judicial settings.

1. *Ad hoc tribunals: Children before the ICTY and ICTR.*
2. *Hybrid courts: Children before the Special Court for Sierra Leone.*
3. *Non-judicial mechanisms.*

**29 June 2023**

**14.30-17.30 CET**

### **The proceedings before the ICC**

This lesson will examine the different stages of the proceedings before the ICC.

1. *Preliminary examination and opening of an investigation.*
2. *The pre-trial stage.*
3. *The trial stage.*
4. *The appeal stage.*
5. *Enforcement of sentence.*

**30 June 2023**

**14.30-17.30 CET**

### **Crimes within the ICC's jurisdiction against or affecting children**

This lesson will examine the different type of crimes against or affecting children under the Rome Statute .

- 1. Forcible transfer of children and prevention of birth, as acts of genocide in violation of Articles 6(d) and 6(e) of the Rome Statute.*
- 2. Persecution as a crime against humanity, in violation of Article 7(1)(h) of the Rome Statute.*
- 3. Trafficking of children as a form of enslavement constituting a crime against humanity in violation of Articles 7(1)(c) and 7(2)(c) of the Rome Statute.*
- 4. Sexual and gender-based violence as war crimes and crimes against humanity, in violation of Articles 7(1)(g), 8(2)(b)(xxii) and 8(2)(e)(vi) of the Rome Statute.*
- 5. Torture and related war crimes and crimes against humanity, in violation of Articles 7(1)(f), 7(1)(k), 8(2)(a)(ii), 8(2)(a)(iii) and 8(2)(c)(ii) of the Rome Statute.*
- 6. Attacks on buildings dedicated to education and health care, as war crimes in violation of Articles 8(2)(b)(ix) and 8(2)(e)(iv) of the Rome Statute.*
- 7. Conscription, enlistment, and use of children under the age of 15 years to participate actively in hostilities, as war crimes in violation of Articles 8(2)(b)(xxvi) and 8(2)(e)(vii) of the Rome Statute.*

**6 July 2023**

**14.30-17.30 CET**

### **Participation of victims in the ICC system**

This lesson will examine the participation of victims (including children) in the ICC proceedings and the possibility to receive reparations.

- 1. The innovative feature of the Rome Statute: victims' participation in ICC proceedings.*
- 2. Victims' access to the Court.*
- 3. Participatory regime under article 68(3) Rome Statute.*
- 4. The role of Counsel assisting children in the proceedings.*

**7 July 2023**

**14.30-17.30 CET**

### **Reparations for victims in the ICC system**

This lesson will examine the reparations proceedings before the ICC and the mandate of the Trust Fund for Victims

- 1. The Reparations proceedings.*
- 2. Challenges in granting reparations to victims of crimes under the ICC jurisdiction (including children).*
- 3. Mandate and role of the Trust Fund for Victims.*





**13 July 2023**

**14.30 – 16.30 CET**

**Support and protection to children in judicial proceedings and non-judicial processes**

This lesson will examine the existing mechanisms to support children during the judicial and non-judicial processes; as well as the best practices to interact and communicate with children affected by armed conflict.

- 1. Challenges regarding the participation of children in judicial proceedings and non-judicial processes.*
- 2. Protective and special measures in judicial proceedings.*
- 3. The rights of the child during judicial proceedings and the concept of a child-friendly justice.*

**14 July 2023**

**14.30 – 16.30 CET**

**Investigation of crimes against or affecting children**

This lesson will examine the technical and psychological approach in investigating crimes against or affecting children and in collecting information and evidence from children.

- 1. Methodologies of investigation of crimes against or affecting children.*
- 2. Methodologies of interviewing children.*

**20 July 2023**

**14.30-16.30 CET**

**The legal framework for Counsel before the ICC**

This lesson will examine the legal framework governing the intervention of Counsel before the ICC, analysing the applicable legal provisions and the legal aid system.

- 1. Regulatory framework for Counsel before the ICC.*
- 2. The legal aid system before the ICC.*
- 2. The Code of Professional Conduct for Counsel appearing before the ICC.*

**21 July 2023**

**14.30-17.30 CET**

**The different role of Counsel before the ICC**

This lesson will examine the different role that Counsel may play in ICC proceedings and the role and mandate of the Office of Public Counsel for Victims (OPCV), with the duty to ensure effective participation of victims in the proceedings, and the Office of Public Counsel for the Defence (OPCD), which provides support and substantive legal assistance to Defence's teams.

- 1. Counsel for the Defence*
- 2. Legal Representatives of Victims.*
- 3. The Office of Public Counsel for Victims (OPCV) and the Office of Public Counsel for the Defence (OPCD).*



**27 July 2023**  
**14.30-16.30 CET**  
**Analysis of ICC Case Law**

**28 July 2023**  
**14.30-16.30 CET**  
**Final Written Test**

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**Responsible for the Course**

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**Secretariat**

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