

Child Witnesses and the International Criminal Justice System

Does the International Criminal Court Protect the Most Vulnerable?

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Abstract

While warfare has always caused human suffering, modern armed conflicts have been synonymous for the deliberate and systematic attacks on non-combatants, many of whom are children. As they often possess the best and sometimes only evidence of a particular crime, it is likely that children will be asked to testify before the International Criminal Court. Given that they are the most vulnerable of all witnesses, the Rome Statute contains various provisions designed to protect the interests of children. While the Court's witness protection regime will help reduce the stress and trauma associated with giving evidence, various improvements could be made to ensure that children are provided with the necessary protection that their susceptible status requires.

1. Introduction

On 28 March 1999, members of a Serbian paramilitary unit known as 'The Scorpions' rounded up several inhabitants of the village of Podujevo in Kosovo. The villagers, who were mostly women and children, were taken to the courtyard of the local police station, where they were shot. Nineteen people were

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