Launch of the Office of the Prosecutor’s Revised Policy on Children
22\textsuperscript{nd} Session of the Assembly of States Parties, December 2023

7 December 2023 (1:15-2:30 pm)
United Nations HQ (Conference Room 2), NYC
Concept Note

\textbf{I. Background and Objective}

Since taking office in 2021, the ICC Prosecutor Karim A.A. Khan KC has emphasised his deep commitment to strengthening his Office’s investigation and prosecution of crimes against and affecting children. The development, updating, and implementation of strong, clear policies is critical to success in this work. In December 2022, the Office of the Prosecutor (OTP) launched its new Policy Paper on Gender Persecution. Subsequently, throughout 2023, the Office has conducted a review process to renew its 2016 Policy on Children. The new Policy will clarify fundamental principles, build on recent jurisprudence and lessons learned these past several years, and strengthen the Office’s ability to take an intersectional, child rights-based approach at every stage of its work. This includes ensuring that children and crimes against or affecting children are made visible. The Policy also notes that children must not be treated as a homogenous group but are assessed as individuals. Children - in all their diversity - should be heard, including as witnesses.

The Children’s Policy review team is led by Special Adviser for Crimes Against and Affecting Children, Véronique Aubert, guided by Deputy Prosecutor Nazhat Shameem Khan and with support from the OTP’s Gender and Children Unit. As part of the 2023 review process, the team engaged external experts from around the world, including through a global call for submissions and ongoing, in-depth regional consultations with colleagues in Latin America, Central and West Africa, and the MENA region. This inclusive process greatly enriched the content of the updated Policy and ensured its global relevance.

\textbf{II. Structure and Format}

The Prosecutor plans a 75-minute panel session to present the renewed Policy and its objectives, review process, and content. This launch event is sponsored by Costa Rica, Japan, Slovenia, and the Netherlands. Key experts will explore context-specific considerations and the Policy’s contribution to complementarity efforts, as well as how it will be implemented at OTP. Specifically, panellists will discuss issues including context-specific considerations, the importance of age disaggregation in intersectional analysis, and what it means to take a child rights approach in a justice process.
Opening remarks

- Hosting states
  - Marko Štucin, State Secretary at the Ministry of Foreign and European Affairs, Slovenia
  - Ambassador Henk Cor van der Kwast, Permanent Representative to the OPCW and ICC
- ICC Prosecutor Karim A.A. Khan KC

Panel discussion

Moderator: Special Adviser Véronique Aubert

- Panelists
  - Ratna Jhaveri, UNICEF
  - Dato’ Shyamala Alagendra, IIMM
  - Mikiko Ōtani, former Chair of the Committee on the Rights of the Child
  - Juleen Fatiaki, Principal State Prosecutor and Head of the Sexual Crimes Division, Office of the Director of Public Prosecutions, Fiji
  - Nicolás Forero Villarreal, Independent Consultant on Human Rights, Colombia

Audience Q&A

Closing Georgina Guillén Grillo, Director General of Foreign Policy, Ministry of Foreign Affairs, Costa Rica