

DCI Oral Statement – 4th Session of the Human Rights Council

Interactive Dialogues (SR on Torture):

Torture of Children in Conflict with the Law

Thank you Mr. President,

*The following is a joint statement on behalf of **Defence for Children International**; the World Organisation Against Torture; the International Federation of Social Workers; the International Alliance of Women; and World Vision International*

Defence for Children International (DCI) welcomes the report of the Special Rapporteur on torture and other cruel, inhumane or degrading treatment or punishment. DCI shares Mr. Nowak's general concern about the widespread practice of torture in prisons and pre-trial detention centres. We regret however, that the report does not specifically address the torture and abuse of **children** who are deprived of their liberty.

Children in conflict with the law are subjected to many of the same forms of torture as adults. These include beatings, sexual abuse, food deprivation, as well as threats towards family and self, social isolation, physical restraint and psychological abuse. The effects of these practices however, for a developing child, often carry much more severe and lasting consequences.

As highlighted in the report of the Special Rapporteur, torture – whether it be physical or psychological – is often used as a method of extracting confessions. According to reports from DCI's national sections, this is especially relevant in the case of children, who are often harassed, threatened and beaten into confessing to crimes while in custody.

The UN Committee on the Rights of the Child recently published a General Comment No.10 on the Rights of children in Juvenile Justice in which it recalls the following:

“The Convention on the Rights of the Child requires that a child is not compelled to give testimony or to confess to or acknowledge guilt. This means in the first place - and self-evidently - that torture and cruel, inhumane or degrading treatment in order to achieve an admission or a confession constitutes a grave violation of the rights of the child and is wholly unacceptable.” (art. 37(a) of the CRC)

Children are entitled to a higher standard of protection from the international community – this has been recognised through countless International instruments including the Convention on the Rights of the Child.

As such, we ask the Special Rapporteur what steps he will take to address the torture of children in custody. And more specifically, we ask what recommendations he will make to States to more effectively investigate and prosecute cases of torture and other human rights violations against children.

Thank you Mr. President.